

In The Matter Of:
Griffin vs. City of Atlanta

Deposition Of:
Donald Vickers

Taken On:
10/21/2020

Pope Reporting & Video, LLC
2741 Pangborn Road
404-856-0966

www.popereporting.com



IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT COUNTY
ATLANTA DIVISION

TYLER GRIFFIN,

Plaintiff,

v.

CIVIL ACTION FILE
NO. 1:20-cv-02514-TWT

CITY OF ATLANTA, DONALD
VICKERS, MATTHEW ABAD,
AND JOHN DOE #1-5,

Defendants.

DEPOSITION CONDUCTED VIA VIDEO CONFERENCE

VIDEOTAPED DEPOSITION OF DONALD VICKERS

October 21, 2020
11:00 a.m. ET

Witness located in Atlanta, Georgia

By Jennifer Davis-McLain, RMR, CRR, CRC
Certified Court Reporter, License No. 2496

Griffin vs. City of Atlanta

Donald Vickers

1 REMOTE APPEARANCES OF COUNSEL:

2 On behalf of the Plaintiff:

3 MATTHEW R. KAHN, ESQUIRE
4 MORGAN LYNDALL, ESQUIRE
5 THOMAS GIANNOTTI, ESQUIRE
6 Butler Law Firm
7 10 Lenox Pointe NE
8 Atlanta, Georgia 30324
9 404.587.8423
10 matt@butlerfirm.com
11 morgan@butlerfirm.com
12 tom@butlerfirm.com

13 On behalf of the Defendants:

14 STACI MILLER, ESQUIRE
15 ALISHA MARIE S. NAIR, ESQUIRE
16 JACQUITA PARKS, ESQUIRE
17 City of Atlanta Law Department
18 55 Trinity Avenue SW
19 Suite 5000
20 Atlanta, Georgia 30303
21 404.330.6402
22 sjmiller@atlantaga.gov
23 amnair@atlantaga.gov
24 japarks@atlantaga.gov

25 (Pursuant to Article 10(B) of the Rules and
Regulations of the Georgia Board of Court Reporting, a
written disclosure statement was submitted by the
court reporter to all counsel present at the
proceeding.)

1	INDEX TO EXAMINATIONS		
2			PAGE
3	DONALD VICKERS		
4	Examination by Mr. Kahn		7
5	Examination by Ms. Miller		155
6	Further Examination by Mr. Kahn		166
7			
8	INDEX TO EXHIBITS		
9	EXHIBIT	DESCRIPTION	PAGE
10	For the Plaintiff:		
11	Exhibit A	OPS Complaint File Closeout	126
12		Report (Griffin v. COA 001041-001098)	
13	Exhibit 1.2	Video	39
14	Exhibit 1.3	Video	45
15	Exhibit 1.4	Video	46
16	Exhibit 2.2	Video	52
17	Exhibit 2.5	Video	69
18	Exhibit 3.1	Video	71
19	Exhibit 3.3	Video	63
20	Exhibit 4.1	Video	47
21	Exhibit 4.2	Video	57
22	Exhibit 24	Defendant Donald Vickers'	17
23		Response to Plaintiff's First Continuing Interrogatories	
24	Exhibit 30	X-ray	30
25		(Griffin v. COA 000102)	

Griffin vs. City of Atlanta

Donald Vickers

1	INDEX TO EXHIBITS (cont.)		
2	EXHIBIT	DESCRIPTION	PAGE
3	Exhibit 33	FY2019 Performance138	
4		Evaluation for Donald Vickers	
		(Griffin v. COA 000762-000767)	
5	Exhibit 42	December 3, 2019,64	
6		Memorandum from	
		Lieutenant H. Zenelaj	
		(Griffin v. COA 000008-000015)	
7	Exhibit 45	Employee Discipline97	
8		Worksheet for Donald Vickers	
		(Griffin v. COA 000006)	
9	Exhibit 48	Atlanta Police Department79	
10		Offense Report	
		(Griffin v. COA 000055-00057)	
11	Exhibit 52	Notice of Proposed Adverse111	
12		Action signed 2/6/12	
		(Griffin v. COA 000745-000746)	
13	Exhibit 53	October 16, 2011,108	
14		Memorandum from	
		Lieutenant J.D. Webb	
15		(Griffin v. COA 000611-000614)	
16	Exhibit 54	Internal Correspondence to108	
17		Lieutenant S. Steed of Complaint	
		Control No. 10-C-0324-UAF	
		(Griffin v. COA 000618-000628)	
18	Exhibit 56	Notice of Final Adverse119	
19		Action signed 12/21/11	
		(Griffin v. COA 000188-000189)	
20	Exhibit 57	E-mail chain ending122	
21		September 14, 2016, from	
		Elizabeth Espy	
22		(Griffin v. COA 000121)	
23	Exhibit 58	June 1, 2012, Memorandum111	
24		from Lieutenant J.D. Webb	
		(Griffin v. COA 000775)	
25			

Griffin vs. City of Atlanta

Donald Vickers

1	INDEX TO EXHIBITS (cont.)		
2	EXHIBIT	DESCRIPTION	PAGE
3	Exhibit 502	APD Use of Force Advisory151	
4		Council excerpt	
5	For the Defendants:		
6	Exhibit 1	Video157	
7	Exhibit 2	OPS Complaint File Closeout162	
8		Report for	
9		OPS Control No. 17-C-03530UAF	
10		(Griffin v. COA 001041-001098)	
11	Exhibit 3	OPS Complaint File Closeout165	
12		Report	
13		OPS Control No. 10-C0324-UAF	
14		(Griffin v. COA 000774-000930)	
15	(Plaintiff's exhibits were marked		
16	electronically prior to the deposition. Defendants'		
17	exhibits were marked electronically after the		
18	deposition.)		
19			
20			
21			
22			
23			
24			
25			

Griffin vs. City of Atlanta

Donald Vickers

1 P R O C E E D I N G S

2 MR. KAHN: So this will be the deposition of
3 Defendant Donald Vickers taken pursuant to notice and
4 agreement. The deposition is taken in the case Tyler
5 Griffin versus the City of Atlanta. The deposition
6 will be taken pursuant to the Federal Rules of Civil
7 Procedure and all purposes permitted under the rules,
8 including use at trial. The deposition is being taken
9 on Zoom because of the COVID pandemic.

10 Madam Court Reporter, will you please swear
11 in the witness.

12 COURT REPORTER: Yes, sir. Before I do, I
13 must ask counsel to please introduce yourself and
14 state on the record that you have no objection to this
15 officer of the court administering a binding oath to
16 this witness via Zoom. If we can please begin with
17 the noticing attorney.

18 MR. KAHN: Sure. This is Matt Kahn from
19 Butler Law Firm for the plaintiff, and with me I have
20 Tom Giannotti and Morgan Lyndall from our office, and
21 there is no objection.

22 MS. MILLER: Staci Miller for the
23 defendants, and there is no objection.

24 MS. NAIR: Good morning. Alisha Marie Nair
25 for the City of Atlanta, Officer Vickers, and

Griffin vs. City of Atlanta

Donald Vickers

1 Officer Abad. There are no objections.

2 MS. PARKS: Good morning. Jacquita Parks.
3 City of Atlanta. No objections.

4 COURT REPORTER: Thank you.

5 DONALD VICKERS,
6 having been first duly sworn, was examined and
7 testified as follows:

8 EXAMINATION

9 BY MR. KAHN:

10 Q. All right. Good morning, Officer Vickers.
11 My name is Matt Kahn, as you just heard. I represent
12 Tyler Griffin.

13 I just want to start by asking if you've had
14 your deposition taken before.

15 **A. I had a deposition where I was a witness.**

16 Q. As a witness.

17 So you -- have you ever given one as a party
18 to a -- to a lawsuit?

19 **A. Not that I know of. I don't know what --**
20 **I -- to be honest, it was so long ago I don't know**
21 **what it was about. So --**

22 Q. Okay. Fair enough.

23 I guess I'll just give you some brief ground
24 rules and sort of tell you what this is about. I'm
25 going to ask -- be asking you questions. I'll show

1 you some pictures and some videos. I'd just ask that
2 if you don't understand my question or you can't hear
3 me or, you know, I lag or something, just let me know,
4 and I'll rephrase the question and reask it.

5 If you -- if you need to take a break, just
6 let me know. You know, we can just pause this
7 deposition and take a quick break if we need to. I'd
8 just ask if there's a question pending, you answer
9 that question before we take a break.

10 And just because we're in different places,
11 it's a little harder to, you know, speak over each
12 other and everything. So if you could just wait until
13 I finish the question, even if you know where I'm
14 going with it. It just creates a cleaner record and
15 less jumbling of the -- of the Zoom lines.

16 So if you could, please state your full name
17 for the record.

18 **A. My full name is Donald Paul Vickers, Jr.**

19 Q. And, Officer Vickers, where did you grow up?

20 **A. Where did I grow up?**

21 Q. Yes, sir.

22 **A. All over Georgia. I was shuffled around a**
23 **lot.**

24 Q. Were you in a military family?

25 **A. Yes, sir.**

1 Q. Where did you go to high school?

2 **A. Went to Osborne High School in Marietta.**

3 Q. You play any sports in high school?

4 **A. Off and on. I did play football.**

5 Q. What position did you play when you played
6 football?

7 **A. Safety and special teams.**

8 Q. So you did a lot of tackling when you played
9 football?

10 **A. I did.**

11 Q. Do you have a college degree, sir?

12 **A. No, sir, I do not.**

13 Q. Have you ever served in the military?

14 **A. Briefly.**

15 Q. And what branch did you serve?

16 **A. Marine Corps.**

17 Q. Thank you for your service, sir.

18 Were you discharged from the Marines?

19 **A. You broke up. The question was was I**
20 **discharged?**

21 Q. Yes, sir. That was the question.

22 **A. Due to an injury, yes, sir.**

23 Q. And what was the nature of the injury?

24 **A. It was a ankle injury with some hair**
25 **fractures.**

1 Q. And so were you -- you were honorably
2 discharged?

3 A. I was. I believe you bring it up with --
4 what is it? -- it was under honorable conditions, yes,
5 sir.

6 Q. Thank you.

7 My next question -- it alarms some people,
8 but the reason I'm asking is just, you know, if this
9 case goes to a jury trial, we need to pick a jury; we
10 need to make sure that none of your family or, you
11 know, remote cousins or, you know, family members are
12 on the jury.

13 So do you -- do you have any family members
14 in Georgia above the age of 18?

15 A. I do. If you want me to list them, it would
16 be --

17 Q. Yes, please.

18 A. -- I can list them.

19 Q. Yeah. If you don't mind just listing their
20 first and last name and relationship.

21 A. So, briefly, I was adopted. So my adopted
22 family is here. Briefly, Larry Rogers, Holly Winkle,
23 Debra Rogers. Or she just -- they got divorced. I'm
24 sorry. It's Debra Price now.

25 Q. Other than those three folks, anyone in

1 Georgia over the age of 18?

2 **A. Not that I know of.**

3 Q. And, sir, are you -- are you married?

4 **A. I am.**

5 Q. Was your wife among the people that you just
6 listed?

7 **A. No. If you want my immediate family, yes, I**
8 **have my wife and my kids. My kids are under 18. My**
9 **wife, Laney Vickers.**

10 Q. And how many -- you said your children are
11 under the age of 18?

12 **A. Yeah. They're toddlers.**

13 Q. Have you ever been in a fistfight either in
14 high school or the military?

15 MS. MILLER: Objection.

16 But you can answer.

17 THE WITNESS: You said I can answer?

18 MS. MILLER: Yes.

19 **A. I have.**

20 BY MR. KAHN:

21 Q. How many times have you been in a fistfight?

22 **A. I couldn't --**

23 MS. MILLER: Same --

24 **A. -- tell you.**

25 MS. MILLER: -- objection.

1 But you can answer.

2 BY MR. KAHN:

3 Q. Sir?

4 **A. Once again, I couldn't -- I couldn't tell**
5 **you how many. I was in mixed martial arts. So . . .**

6 Q. All right. Well, I guess let me modify the
7 question, then.

8 Outside of organized, you know, fighting
9 through a mixed martial arts event, how many
10 fistfights have you been in?

11 MS. MILLER: Objection.

12 But you can answer.

13 **A. Outside all that, all that I can recall**
14 **would have been with the City of Atlanta, and I**
15 **couldn't tell you how many it would have been.**

16 BY MR. KAHN:

17 Q. Okay. Would you say that you have a hot
18 temper?

19 MS. MILLER: Objection.

20 **A. No, sir.**

21 MS. MILLER: But you can answer.

22 BY MR. KAHN:

23 Q. I'm sorry. What was --

24 **A. No, sir.**

25 Q. -- your answer, sir?

1 **A. It was "No, sir."**

2 Q. Okay. Thank you.

3 And just to -- just to let you know, like,
4 when -- if I ask you to clarify an answer, it's not --
5 I'm not trying to be rude or provoke you. I just --
6 sometimes the Zoom gets jumbled up, and when there's
7 objections, it's hard to hear. So no offense meant by
8 that.

9 Are you currently employ- --

10 **A. I understand.**

11 Q. Thank you.

12 Are you currently employed by APD?

13 **A. I am.**

14 Q. And what's your current job title?

15 **A. Senior police officer.**

16 Q. And how long have you been with APD?

17 **A. Come February, it will be 15 years.**

18 **February 21st will be 15 years.**

19 Q. And of those 15 years, how long have you
20 been an SPO?

21 **A. I think it's been -- I don't think it's been**
22 **two years.**

23 Q. Did you start with APD as a recruit?

24 **A. I did.**

25 Q. And do you have any law enforcement

1 experience predating APD?

2 **A. No, sir.**

3 Q. Have you undergone use-of-force training?

4 **A. Yes, sir.**

5 Q. And was SPO Patrick Fite your instructor on
6 use of force?

7 **A. Yes, sir.**

8 Q. Do you know SPO Fite personally?

9 **A. No, sir. I mean, I know him, but not**
10 **outside work I don't.**

11 Q. Okay. Fair. That's fair.

12 Do you have any DUI training?

13 **A. So as far as the DUI course, no, I've not**
14 **gone through that. It -- I could say it's the minimum**
15 **requirement.**

16 Q. So do you know how to administer a field
17 sobriety test?

18 **A. No, sir.**

19 Q. Have you ever reported another officer for
20 the use of excessive force?

21 **A. No, sir.**

22 Q. Have you ever testified in an official
23 proceeding that another officer has used unreasonable
24 force?

25 **A. No, sir.**

1 Q. In your career as a police officer, have you
2 ever seen another officer use what you would consider
3 to be excessive force?

4 A. No, sir. Not physically seen it, no, sir.

5 Q. Okay. Have you heard about it?

6 A. I mean, we hear about it all the time, but
7 I've never witnessed it, you know, physically,
8 personally there, standing there. No, I've never
9 witnessed it.

10 Q. Now, have you -- you said that you had been
11 deposed a long time ago as a witness. Was that in
12 your capacity as a police officer?

13 A. I was.

14 Q. And was that in a case involving allegations
15 of excessive force?

16 A. I don't remember at all. I -- to be honest,
17 I think it had something to do with the shooting that
18 happened in the neighborhood. I don't think -- I
19 don't think it was a use of force. And I --

20 Q. Okay.

21 A. It was a -- it was a contracting job that I
22 used to work; and I guess something happened at the
23 contracting job, and they brought me in.

24 Q. I see. Okay. And have you ever been a
25 party to a lawsuit, either as a plaintiff or a

1 defendant?

2 **A. No, sir.**

3 Q. All right. All right. So excluding any
4 conversations that you had with any of your lawyers
5 from the City of Atlanta, did you do anything to
6 prepare for your deposition today?

7 **A. Other than speaking to my lawyers? No. I**
8 **don't know what else I could have done.**

9 Q. Okay. And now, again, you know, there is an
10 attorney-client privilege between what you said -- the
11 substance of what you said with your lawyers, and so I
12 don't want to know any of that. But how much time did
13 you spend speaking with your lawyers to get ready for
14 the deposition?

15 **A. I couldn't tell you exact time. I mean, it**
16 **was -- we met over a couple days, different**
17 **conversations, phone calls here and there.**

18 Q. Would you say cumulatively you spent over or
19 under one hour preparing with your lawyers?

20 **A. I'd have to say it's probably over one hour.**

21 Q. Over or under two hours?

22 **A. Close to two hours. I don't -- I don't --**
23 **and, you know, maybe I'm wrong on that, but I don't --**
24 **I don't think we spoke longer than that.**

25 Q. Sure. Sir, have you reviewed the complaint

1 that was filed in this case?

2 **A. I have.**

3 Q. And do you understand what this case is
4 about?

5 **A. I do.**

6 Q. And what's your understanding of the case?

7 **A. I guess you brought me here because you want**
8 **me to tell you -- because you want to -- my**
9 **understanding is you brought me here because you're**
10 **not happy with the actions that were taken.**

11 Q. Okay. Have you reviewed any of your
12 discovery responses in this case?

13 **A. Yes.**

14 Q. All right. I'm going to -- I'm going to
15 share my screen with you real quick. Let me -- give
16 me just a second here.

17 All right. Can you see Plaintiff's
18 Exhibit 24 on your screen?

19 **A. You said -- okay. I can.**

20 Q. Okay. Excellent.

21 Now, have you ever seen this document
22 before? And I can scroll through it. It's an 11-page
23 document. So I can -- I'll slowly scroll through it
24 here.

25 Is this a document that you've seen?

1 **A. It appears to be, yes, sir.**

2 Q. Is there anything in Plaintiff's Exhibit 24
3 that you -- that, after reviewing, you feel that you
4 need to correct?

5 **A. No, sir.**

6 Q. Did you review any of the City of Atlanta's
7 discovery responses in this case?

8 **A. Honestly, I can't -- I don't think I**
9 **actually reviewed anything.**

10 Q. I'm sorry. I couldn't hear what you said.

11 **A. I don't think I reviewed anything other than**
12 **that what you showed me as far as their discovery.**

13 Q. Okay. Did you watch any of the body camera
14 footage from this case?

15 **A. I did.**

16 Q. And have you seen the body camera footage
17 where you tackled Mr. Griffin?

18 **A. I did.**

19 Q. And when was the last time that you watched
20 it?

21 **A. I remember only watching the whole video one**
22 **time. It was, like, three separate videos. I think**
23 **it was, like, two weeks ago.**

24 Q. I'm sorry. You said two weeks ago?

25 **A. I believe it was two weeks ago. It might**

1 **have -- it might have been -- I would say it was**
2 **somewhere between a week and a half and two weeks ago.**

3 Q. Okay. Have you seen the body camera footage
4 showing you and Abad, Officer Abad, making Mr. Griffin
5 walk around on a broken ankle?

6 MS. MILLER: Objection.

7 But you can answer.

8 **A. I don't remember seeing Mr. Griffin walking**
9 **on a broken ankle.**

10 BY MR. KAHN:

11 Q. Did you review any of APD's standard
12 operating procedures to get ready for the deposition?

13 **A. No, sir.**

14 Q. Besides your attorneys, did you speak with
15 anyone about this deposition?

16 **A. Mentioned it with my family members, but**
17 **that's it.**

18 Q. Which members of your family did you speak
19 to?

20 **A. My wife.**

21 Q. Did you speak with Abad at all?

22 **A. We talked a little bit here and there. He**
23 **works on another unit now; so, you know, every once in**
24 **a while I'll touch base. I mean, we're friends.**

25 Q. Did you specifically have any conversations

1 about the case within the last week with Abad?

2 A. I think I spoke to him -- last time I spoke
3 to Abad was last, I think, Thursday.

4 Q. What did y'all talk about?

5 A. Work, a little bit about the case. That's
6 it.

7 Q. What about the case did you speak about?

8 A. I don't know. Just pretty much if he has
9 heard anything from the City, you know, if I heard
10 anything from the City, what's going on, you know, as
11 far as the investigation.

12 Q. All right. In the -- in the early morning
13 of April 5th, 2019, what was your assignment? And
14 what I mean by that is just, like, sort of what were
15 you doing in the -- in the area.

16 A. It's a little distorted, but you're asking
17 what I was doing April 6th early in the morning as far
18 as work?

19 Q. Yes, sir. And April 5th.

20 A. Okay. Excuse me. That day we were on a --
21 we were assigned to a FIT unit. Me and Abad were
22 working together. We were trying to cut down on some
23 of the burglaries and thefts in the area. And so we
24 were going from one hot location to another that we
25 like to investigate or run surveillance on.

1 Q. Does patrolling for burglaries generally
2 include making traffic stops?

3 A. We were in an unmarked car. There's -- if
4 we were going to make a traffic stop or had a vehicle
5 that we wanted to pull over, we would ask for a unit,
6 a marked unit, to pull that vehicle over.

7 Q. Did you ask for a marked unit to pull
8 Mr. Griffin's car over?

9 A. We were trying to before he fled, but he
10 ended up wrecking the car before the units could pull
11 him over.

12 Q. You said he wrecked the car before the unit
13 could pull him over?

14 A. He drove off of a retaining wall in
15 somebody's backyard before we could get a unit there
16 to pull somebody -- to pull him over.

17 Q. Okay. We'll get -- and we'll get to that in
18 a minute.

19 Do you -- never mind.

20 I guess why don't you just tell me your side
21 of the story. What did -- what happened that night?

22 A. From the beginning, like I said, we were on
23 patrol going from one location to another, like, to
24 investigate. We were in an unmarked vehicle, even
25 though we were in marked clothing, APD state-approved

1 clothing. As -- I was driving. Abad was the
2 passenger.

3 I made a left off Howell Mill onto
4 Chattahoochee Boulevard. I believe it's -- I believe
5 it's Boulevard. No. Chattahoochee Ave. When I made
6 the right turn, got down to -- close to the bridge,
7 that's when I noticed the car driving in my lane,
8 coming at me head-on. I had just enough time to
9 swerve.

10 And then we turned around, got behind the
11 vehicle. And we were trying to get a unit to respond
12 and let the zone know what was going on. And we were
13 also trying to figure out -- he -- once he got to
14 Howell Mill, he went the wrong way. He went up a
15 one-way street. He was supposed to make a right or
16 left and he chose to go straight up a one-way street.

17 Once he makes those -- once he went up the
18 one-way street, I don't know those street names. I
19 know the location. I know the routes, but I don't
20 know the street names.

21 So we were trying to give radio our location
22 and get a unit there and let everybody there know what
23 he was doing -- or the driver was doing. We didn't
24 know who it was at the time. He made another left
25 turn, and I briefly lost sight of him.

1 And when I got down to the intersection, or
2 close to it, trying to see if he went right or left,
3 we realized, once again, he went straight and drove
4 off a retaining wall and had landed in somebody's
5 backyard.

6 At that point, Abad jumped out of the
7 passenger seat and ran down towards the vehicle. I
8 got out and tried to look at the road sign at the
9 intersection to give radio our location. Once I could
10 hear they had our location, I went to assist.

11 While I was doing that, I could hear Abad
12 giving commands, loud verbal commands. "Get out of
13 the car. Stop the car. Atlanta Police." I really
14 couldn't see, though. But we had -- we had a vehicle
15 actually blocking the driveway. The homeowner's
16 vehicle was blocking the driveway.

17 So I couldn't see. I could only hear and,
18 you know, get a glimpse of the vehicle's lights
19 reflecting off the house and other objects and stuff,
20 because it was raining.

21 Once I got there, I could see that Abad had
22 the -- had Mr. Griffin out of the car, and I could
23 hear that his -- his tone, his verbal commands, had
24 kind of got back to a normal tone. But I saw that he
25 had his hands on a -- kind of a control hold on

1 Mr. Griffin's shoulder. And I remember seeing
2 Mr. Griffin shove his hand off and telling
3 Officer Abad to hold on.

4 At that point, Mr. Griffin had objected --
5 you know, was obstructing several times, and then he
6 physically pushed Abad's hand away and I tackled him.
7 And we put him in two pair of handcuffs, because he
8 was -- he was kind of too big to put in one pair
9 without, you know, really forcing it.

10 And once I tackled him, his demeanor changed
11 completely, and so did ours. He was arrested. Took
12 several minutes for me to get the homeowner to move
13 the vehicle so we could get Mr. Griffin's vehicle out,
14 because it had to be towed.

15 Mr. Griffin landed in a backyard. I don't
16 know how he did it exactly, but he was able to get his
17 vehicle to turn around and -- but he landed in some
18 loose gravel in the -- in a homeowner's backyard.

19 And once Mr. Griffin was out of the car and
20 we went to tow it, we got the homeowner to move his
21 vehicle so we could put Mr. Griffin's vehicle -- just
22 drive it up out of the driveway.

23 So for whatever reason Mr. Griffin -- I
24 think it's because he was on the gas too hard -- I
25 mean, that's the only thing I can think of -- where

1 his tires were spinning in the gravel. That's why he
2 couldn't get out of it. But, once again, he had
3 nowhere to go. He was coming at Abad head-on.

4 And that was pretty much it. He was
5 arrested and taken to Grady detention.

6 Q. Okay. So when you first saw Mr. Griffin,
7 you claim that he almost hit you head-on. Right?

8 A. That's correct.

9 Q. Do you have any evidence to prove that?

10 A. No, sir. I don't think --

11 Q. Was there a --

12 A. -- there's any evidence to prove that.

13 Q. Was there a dashcam in the vehicle you were
14 driving?

15 A. No, sir.

16 Q. Why not?

17 A. That is a undercover vehicle, and it is not
18 equipped with a dashcam.

19 Q. So the only -- the only proof that you have
20 is your word. Is that right?

21 A. My word -- well, let's back up. You -- the
22 only proof that I had that he was coming at me
23 head-on --

24 Q. Yes.

25 A. -- or the whole thing?

1 Q. The only -- the only proof that you have --

2 **A. Okay.**

3 Q. -- that he was coming at you head-on is your
4 word.

5 **A. That's -- and Abad's. That's it.**

6 Q. So then the -- then, I guess, more
7 accurately, the only proof you have is the word of two
8 officers who are being sued in federal court for
9 police brutality. Is that right?

10 MS. MILLER: Objection.

11 But you can answer.

12 **A. That's correct.**

13 BY MR. KAHN:

14 Q. On the night of the question, you were in an
15 unmarked police car. Is that correct?

16 **A. That's correct.**

17 Q. And what was the make and model of that
18 vehicle?

19 **A. I think it's a Dodge Dart. I don't know the
20 year. I don't even remember the color. I know it was
21 a dark color.**

22 Q. Was that vehicle equipped with any police
23 lights?

24 **A. No, sir. Once again, it's an undercover
25 vehicle that we were using.**

1 Q. Was it -- did it have one of those -- one of
2 those little lights that you can put on the top of the
3 car like you see in the movies?

4 A. No, sir.

5 Q. Was the vehicle equipped with a siren or --

6 A. No, sir.

7 Q. -- a PA system?

8 A. No, sir.

9 Q. So were there -- were there any markings on
10 the car that would have allowed Mr. Griffin to know
11 that he was being followed by a police officer?

12 MS. MILLER: Objection.

13 But you can answer.

14 A. No, sir. To be honest, I wasn't even aware
15 if he even knew we were behind him, because he was so
16 far ahead of us.

17 BY MR. KAHN:

18 Q. Why didn't you pull Mr. Griffin over after
19 he allegedly almost hit you head-on?

20 A. We didn't have a unit there to pull him
21 over, and he did -- he kept going. He blew through
22 the intersection and went up a one-way street. Units
23 were trying to get to us, but by the time the units
24 got there, he had already -- matter of fact, by the
25 time the units got there, he was pretty much being

1 **detained at that point.**

2 Q. Why didn't you wait until the units got
3 there to approach Mr. Griffin?

4 A. Because Mr. Griffin was in somebody's
5 backyard unable to leave. He was still trying to flee
6 from us. We got out on foot and made the encounter.

7 Q. Well, if he was unable to leave, then why
8 wouldn't you just wait for the police to get there?

9 A. We didn't know if he was going to get out
10 and try to run. We didn't -- we didn't know
11 anything -- we didn't know who the driver was. We
12 didn't know if it was a female, male. We didn't know
13 if there was more people in the vehicle.

14 Q. And so you said this several times in the
15 police report: claimed that Mr. Griffin drove off of a
16 ledge. Is that right?

17 A. That's correct.

18 Q. Now, did you actually observe Mr. Griffin
19 drive over any ledge?

20 A. The only thing -- the only way he could have
21 got back there was to drive over a ledge. The
22 vehicle -- the homeowner's vehicle was blocking the
23 driveway, and the only way to get Mr. Griffin's
24 vehicle back there is to keep going straight. In
25 order to do that, you have to drive over the retaining

Griffin vs. City of Atlanta

Donald Vickers

1 **wall.**

2 Q. So that -- that's all good. But did you
3 actually observe Mr. Griffin drive over any ledge?

4 A. I mean, I guess -- no. I didn't -- I
5 didn't -- I saw the brake lights. I saw them in the
6 backyard. I saw that -- the homeowner had -- it was
7 solar panel lights, the landscaping lights. They had
8 been struck by Mr. Griffin's vehicle.

9 MR. KAHN: All right. I'll move to strike
10 that --

11 A. Once again, the only --

12 MR. KAHN: -- that as --

13 A. -- way to do that --

14 MR. KAHN: -- nonresponsive.

15 A. -- is to go over that way.

16 MR. KAHN: Move to strike that as
17 nonresponsive.

18 BY MR. KAHN:

19 Q. Officer A- -- excuse me.

20 Officer Vickers, is there any video showing
21 Mr. Griffin drive off of any ledge?

22 A. Not that I know of.

23 Q. So, again, the only proof of that that we
24 have is your word and Defendant Abad's word. Is that
25 correct?

1 **A. And the damages.**

2 Q. Is it your position that Mr. Griffin hurt
3 his ankle when he allegedly drove over this ledge?

4 **A. No, sir. We don't know how he hurt his**
5 **ankle. It would not be fair for me to say exactly how**
6 **he hurt his ankle. I mean, it's --**

7 Q. How do you --

8 **A. -- a good possibility.**

9 Q. You said it's a good possibility that he
10 hurt his ankle from driving off the ledge?

11 **A. Yes, sir.**

12 Q. How do -- how do you personally think that
13 he hurt his ankle?

14 **A. I don't think. I don't know, sir.**

15 Q. Do you know any of the details of
16 Mr. Griffin's injuries?

17 **A. Any -- I know from what I heard, he -- or**
18 **was shown a broken ankle in two spots, two locations.**
19 **Is that correct? I don't . . .**

20 Q. So let me pull up an exhibit for you.

21 Can you see Plaintiff's Exhibit 30 on your
22 screen?

23 **A. I see a portion. Okay.**

24 Q. Sir, can you see --

25 **A. I see where it says 30, but I'm looking at**

1 a . . .

2 Q. It's a X-ray scan.

3 A. Oh, I see it. Okay. Yes, sir.

4 Q. Okay. Have you ever seen --

5 A. I see it.

6 Q. Have you ever seen this X-ray scan of

7 Mr. Griffin's ankle after the surgery?

8 A. I think only what was, I think, on the AJC.

9 I may have seen it before, but I don't recall.

10 Q. Do you see the ten screws and the metal rod

11 in his ankle?

12 A. I do.

13 Q. And do you really think that driving off of

14 a ledge did that to him?

15 MS. NAIR: We need to stop for a moment.

16 Ms. Miller is not on the line.

17 MR. KAHN: Oh.

18 (OFF THE RECORD 11:35-11:38 A.M.)

19 COURT REPORTER: (Reads record.)

20 MS. MILLER: Thank you. Can I just have the

21 exhibit number of that exhibit?

22 MR. KAHN: Yes. It's Plaintiff's

23 Exhibit 30. And I'm going to share my screen again.

24 That's the wrong one. Sorry.

25

1 BY MR. KAHN:

2 Q. All right. So, Officer Vickers, can you see
3 the -- my screen again, Plaintiff's Exhibit 30?

4 **A. I can. Yes, sir, I can.**

5 Q. Okay. Thank you.

6 And so the question that was pending before
7 we stopped -- I'll just reask it. And that -- okay.

8 So the -- so we're looking at Plaintiff's
9 Exhibit 30, and my question is is do you really think
10 that driving off of a ledge did that to Mr. Griffin's
11 ankle?

12 MS. MILLER: Objection.

13 But you can answer.

14 **A. I think it's very possible.**

15 BY MR. KAHN:

16 Q. And what are your qualifications to opine on
17 that?

18 **A. I don't know if you want to say**
19 **qualifications or experience, but I've seen a lot of**
20 **accidents. They're -- what they can do to a human**
21 **body is pretty horrific.**

22 Q. But you didn't see this accident --

23 **A. I've seen --**

24 Q. -- as you call it, did you?

25 **A. No, I did not physically witness that**

1 **accident.**

2 Q. So you stayed in the car while Abad
3 approached Mr. Griffin. Is that right?

4 A. No, sir. I was not in the car. I was
5 outside the car trying to secure the vehicle and
6 looking at our location on the road signs and giving
7 it over radio to -- giving it over to the dispatch so
8 the units could, you know, arrive to where we were at,
9 and then I approached.

10 Q. Okay. And you said that there was a car --
11 the homeowner's car was blocking your view to the
12 bottom of the driveway. That's correct? Is that
13 correct?

14 A. I think between the hill, the angle of the
15 vehicle, and, yes, the homeowner's car -- I think if
16 the homeowner's car was not there, I'd be able to see
17 pretty much the whole encounter with Abad and the
18 vehicle -- the suspect vehicle.

19 Q. Now, at what point after you left your car
20 did you first see Abad standing by Mr. Griffin's car?

21 A. As I started to approach, coming down the
22 driveway between the car and the house.

23 Q. And could you tell me what you -- what you
24 saw when you first saw that?

25 A. Well, I saw Abad giving -- I saw and heard

1 **Abad giving orders for Mr. Griffin to get out of the**
2 **car. Abad had a control hold on Mr. Griffin, you**
3 **know. Mr. Griffin swiped Abad's hand away, and then**
4 **that's when I ran up and tackled him.**

5 Q. And, sir, none of that is on video.

6 A. **Mr. Griffin was --**

7 Q. Right?

8 A. **-- bigger than Abad.**

9 Q. Sir, none of what -- none of what --

10 A. **Yes, sir.**

11 Q. -- you -- sorry. None of what you saw was
12 on video. Right?

13 A. **If my video didn't catch it, Abad's did.**

14 Q. So the first time that we see you on video,
15 though, is on Abad's body cam when you lunge toward
16 Mr. Griffin. Is that right?

17 A. **I believe so.**

18 Q. Did you have a body cam on your person at
19 the time?

20 A. **I did, sir.**

21 Q. And why wasn't it activated when you tackled
22 Mr. Griffin?

23 A. **For whatever reason, we don't know. I can't**
24 **answer that. I don't know. I remember as I was**
25 **running down -- I can't remember if it was off or it**

1 just wasn't recording. I just can't recall what was
2 going on with the camera. But once I noticed it, I
3 activated it as quick and best as I could.

4 Q. So is there something that you -- that you
5 need to do physically to activate the body camera?

6 A. It has to be turned on. That was an older
7 camera. That was either my second or third camera
8 that I had gone through. The -- for whatever reason,
9 that one was acting up. I don't know if this was a
10 user error or a device malfunction.

11 But you have to turn it on. Once you turn
12 the camera on, it goes into a buffer mode. While it's
13 in buffering mode, you can tap the center button
14 twice, and it's supposed to record. It will go back
15 about two minutes. And then once it gets to where you
16 hit the button, the audio will kick in.

17 Q. And do you claim that you tapped the button
18 and it just didn't turn on?

19 A. At this point, I don't -- I don't know. I
20 honestly don't know. I know that when I seen that it
21 wasn't recording, I did my very best to cut it on as
22 soon as possible.

23 Q. Is there a separate button for sound and
24 audio that you control?

25 A. No, sir. On that camera there might -- no.

1 You can't control the -- you can only control -- the
2 camera will -- the body-worn camera will beep. But as
3 far as picking up volume, I don't think you can
4 control that.

5 Q. So there's no way -- if you were -- if you
6 were wearing that camera that you were wearing on the
7 night in question, there's no way that you could leave
8 the video operational but press a button to turn the
9 sound off while leave the video running.

10 A. No, sir. If there is, I'm not aware of
11 that.

12 Q. Is there a reason that you didn't activate
13 your body camera before you got out of the car like
14 Abad did?

15 A. It -- I don't -- I don't know why it wasn't
16 activated, sir.

17 Q. And why -- there's a two-minute period at
18 the beginning of your body cam video where the sound
19 was turned off. Is that right?

20 A. Okay. If there's -- that's the buffering
21 part. So, like I said, it's in buffering mode. You
22 want it to record; you hit the button twice. It will
23 go back two minutes. Once it gets to that point after
24 the two minutes where you hit the button, the audio
25 kicks in.

1 Q. I see. At what point did you decide to
2 tackle Mr. Griffin?

3 A. Once he pushed Abad's hand away.

4 Q. And why did you decide to tackle
5 Mr. Griffin?

6 A. He was obstructing Abad and not obeying his
7 commands. And then once you swipe an officer's hands,
8 you become a threat at that point, and I alleviated
9 it.

10 Q. Is there anything else that you could have
11 done to get in there?

12 A. From the distance I was at, I mean -- Monday
13 night quarterbacking, possibly. I wouldn't want to
14 tase. If I missed, then I would hit Abad -- possibly
15 hit Abad. So I went for a tackle.

16 Q. Did you know that Mr. Griffin's ankle was
17 hurt after you tackled him?

18 A. Shortly after, yes, sir.

19 Q. How shortly after did you realize that
20 Mr. Griffin's ankle was hurt?

21 A. That, I can't recall.

22 Q. Did you ever call an ambulance to come check
23 on Mr. Griffin?

24 A. It was determined -- we checked, and it was
25 determined that with him having a hurt ankle and

1 having units already there, I could get him to the
2 hospital quicker by having a unit do the transport.
3 We would have got him quicker -- got him to Grady
4 quicker and got him out of the rain.

5 Q. So that's a no; you never called an
6 ambulance to check on Mr. Griffin. Is that -- is that
7 right?

8 A. It -- no. It was determined that the
9 ambulance was going to take longer than our units
10 would. It was going to take longer to get him to the
11 hospital than our units would. I don't remember how
12 it was -- I don't know if it's because our units were
13 already there or if Grady was at a -- you know, a
14 standstill.

15 Q. Sure. And I understand that, sir. What I'm
16 asking you is whether or not you called an ambulance
17 to check on Mr. Griffin.

18 A. That, I can't recall. Wait. Hold on. You
19 said to transport or to check on?

20 Q. To check on Mr. Griffin.

21 A. You mean -- just to be clear, you're talking
22 about when Griffin's at the scene, have a Grady unit
23 come and check on him. Correct?

24 Q. Correct. At any time while --

25 A. Okay. So --

1 Q. -- on the scene, did you call an ambulance
2 to come check on Mr. Griffin?

3 A. Like I said, you know, no.

4 Q. Will you agree that it was obvious that
5 Mr. Griffin was in pain as he was walking around in
6 that backyard?

7 A. Once again, I don't remember seeing
8 Mr. Griffin walking.

9 Q. All right. I want to show you some video
10 clips.

11 Can you see Plaintiff's Exhibit 1.2 on your
12 screen, sir?

13 A. I see a video. I don't see the 1.2 that
14 you're talking about.

15 Q. All right. Well, I'm going to --

16 A. Okay. I see it.

17 Q. Okay. Great.

18 A. Okay.

19 Q. All right. Well, so the first video I'm
20 going to show you is marked Plaintiff's Exhibit 1.2.

21 (Video plays.)

22 BY MR. KAHN:

23 Q. All right. Do you think that you did
24 anything wrong in Plaintiff's Exhibit 1.2?

25 A. No, sir.

1 Q. Do you think the Atlanta Police Department
2 encourages police officers to act the way that you did
3 in Plaintiff's Exhibit 1.2?

4 **A. If the situation calls for it, yes.**

5 Q. Do they teach that sort of thing at the
6 police academy?

7 MS. MILLER: Objection.

8 But you can answer if you know.

9 **A. As far as when somebody's obstructing, to**
10 **take them down as quick as possible to alleviate the**
11 **threat, yes.**

12 BY MR. KAHN:

13 Q. Did Abad do anything to stop you from
14 tackling Mr. Griffin?

15 **A. No, sir.**

16 Q. If Abad had waved his hand and told you to
17 stop, would you have still tackled Mr. Griffin?

18 MS. MILLER: Objection.

19 But you can answer.

20 MR. KAHN: What's the basis of that
21 objection? just so I can cure the question.

22 MS. MILLER: Are you asking a fact witness a
23 hypothetical?

24 MR. KAHN: What is the basis -- I asked you
25 what is the basis of your objection.

1 MS. MILLER: Well, that is the basis of my
2 objection.

3 MR. KAHN: So it's an improper hypothetical?
4 That would be the answer to -- that would be your
5 objection?

6 MS. MILLER: Yes.

7 MR. KAHN: Okay. All right. Noted.

8 BY MR. KAHN:

9 Q. So, sir, I'm going to ask you the question
10 again.

11 If Abad had waved his hand and told you to
12 stop, would you have still tackled Mr. Griffin?

13 MS. MILLER: Same objection.

14 But you can answer.

15 **A. Probably not, being that it was probably not**
16 **a threat then. If I felt like Mr. Griffin was still a**
17 **threat, yes, I would have.**

18 BY MR. KAHN:

19 Q. It would have been possible for Abad --

20 **A. It depends on if I felt like he was a threat**
21 **or not.**

22 Q. Sure. It would have been possible for Abad
23 to wave his hand and tell you to stop. Right?

24 MS. MILLER: Objection.

25 You can answer.

1 A. He'd have to be really fast about it. I
2 mean, by that -- I mean, at that point Mr. Griffin
3 swiped Abad's hand down towards his side. I
4 mean . . .

5 BY MR. KAHN:

6 Q. If Abad had said --

7 A. I don't know how --

8 Q. Sorry. I didn't realize you weren't done.

9 If Abad had said, "Hey, Vickers, hold up,"
10 would you have still tackled Mr. Griffin?

11 MS. MILLER: Objection.

12 But you can answer.

13 A. Once again, if I felt like it was a threat,
14 yes, I would have.

15 BY MR. KAHN:

16 Q. But if Abad had said, "Hey, Vickers, hold
17 up," would there -- would you -- what reason would you
18 have to believe that there was a threat?

19 MS. MILLER: Same objection.

20 But you can answer.

21 A. If Abad was able to say that,
22 hypothetically, hypothetically it leads me to believe
23 that there wouldn't be a threat, and I would see that
24 there was no threat, and I probably would not tackle.
25 Well, I wouldn't tackle if there wasn't any threat.

1 BY MR. KAHN:

2 Q. Okay. And it would have been possible for
3 Abad to do that. Right?

4 MS. MILLER: Objection.

5 But you can answer.

6 A. Not in that time span, no, sir. And there
7 was a threat.

8 BY MR. KAHN:

9 Q. When Mr. Griffin got out of the car, he put
10 his weight on his left foot, didn't he?

11 A. That, I don't know. I'd have -- I don't
12 know.

13 Q. Let's look at the video again. All right.
14 I'm showing you Plaintiff's Exhibit 1.2 again.

15 (Video plays.)

16 BY MR. KAHN:

17 Q. When Mr. Griffin got out of the car, he put
18 his weight on his left foot, didn't he?

19 A. Okay. Yeah. He stood up, yes, sir.

20 Q. Did you hear Mr. Griffin cry out in pain as
21 he got out of the car?

22 A. No, sir.

23 Q. Did you hear Mr. Griffin complain about his
24 ankle hurting as he got out of the car?

25 A. No, sir.

1 Q. He didn't do any of that, did he?

2 A. No, sir.

3 Q. In fact, Mr. Griffin was standing up
4 straight, wasn't he?

5 A. He was standing up on both feet.

6 Q. He didn't have any trouble balancing before
7 you tackled him, did he?

8 A. Not that I could see.

9 Q. Did you hear Mr. Griffin slurring his words
10 at any time before you tackled him?

11 A. No, sir.

12 Q. And that's because he wasn't slurring his
13 words. Right?

14 A. No, sir. I mean correct.

15 Q. Did you hear Mr. Griffin scream out in pain
16 as you tackled him?

17 A. On the video, sir.

18 Q. As we sit here today, do you think that you
19 were completely justified in tackling Mr. Griffin?

20 A. Yes, sir.

21 Q. Do you think you should have done anything
22 differently?

23 A. No, sir.

24 Q. You claim you tackled Mr. Griffin because
25 you thought he was resisting. Right?

1 **A. No. He was resisting, sir.**

2 Q. And I believe the words that you used during
3 the OPS investigation were that you thought it was
4 going to be a fight on your hands. Is that -- is that
5 right?

6 **A. There was a good chance, yes. That was**
7 **going through my mind, yes.**

8 Q. All right. I'm going to show you another
9 video that's been marked as Plaintiff's Exhibit 1.3.

10 Can you -- can you see the screen, sir?

11 **A. Yes, sir.**

12 Q. And you're -- you have no problem hearing
13 any of the video footage, do you?

14 **A. So far, no.**

15 Q. Okay. Excellent.

16 (Video plays.)

17 BY MR. KAHN:

18 Q. Now, isn't it true that when you -- or isn't
19 it true that you didn't start charging at Mr. Griffin
20 until he had already brushed Abad's hand away and was
21 standing still?

22 **A. I started charging once I seen that he**
23 **pushed Abad's hand away, and then I charged.**

24 Q. Sure. But isn't it true that you didn't
25 start charging until after he had already brushed the

1 hand away and at that point was standing still?

2 **A. That's correct.**

3 Q. All right. I'm going to show you another
4 video. We're going to look at a clip that's been
5 premarked as Plaintiff's Exhibit 1.4.

6 (Video plays.)

7 BY MR. KAHN:

8 Q. Did you hear Mr. Griffin say, "I can't move
9 my leg"?

10 **A. I heard him on the video talking to Abad,**
11 **yes, sir.**

12 Q. But did you hear him say, "I can't move my
13 leg"?

14 MS. MILLER: Objection. Just to clarify,
15 are you talking about in the video or today -- I mean
16 or at the date of the incident?

17 MR. KAHN: I'm asking him questions about
18 the video.

19 MS. MILLER: Okay.

20 BY MR. KAHN:

21 Q. So I'll ask -- I'll ask it again, sir. In
22 Plaintiff's Exhibit 1.4 did you hear Mr. Griffin say,
23 "I can't move my leg"?

24 **A. In the video, I hear that.**

25 Q. Did you hear Abad ask Mr. Griffin if his leg

1 was broken and Mr. Griffin responded, "I mean, you
2 guys hurt it"?

3 **A. In the video, I hear that, yes, sir.**

4 Q. Now, in the video did you hear Mr. Griffin
5 slur his words when he said, "I can't move my leg"?

6 **A. No, sir.**

7 Q. And that's because he was not slurring.
8 Right?

9 **A. That's correct.**

10 Q. And did you hear Mr. Griffin slur his words
11 when he said, "I mean, you guys hurt it"?

12 **A. You asked if I heard him slurring then?**

13 Q. Um-hum.

14 **A. No, sir, I did not hear him slur.**

15 Q. And that's because he was not slurring at
16 that time either. Is that right?

17 **A. That's correct.**

18 Q. I'm going to show you a video that's been
19 premarked as Plaintiff's Exhibit 4.1.

20 (Video plays.)

21 MR. KAHN: I think we lost Officer Vickers.
22 Oh, there he is.

23 **A. Can you see me?**

24 BY MR. KAHN:

25 Q. Yes, I can see you now.

1 Sir, in Plaintiff's Exhibit 4.1 Abad makes
2 Mr. Griffin stand up and walk. Right?

3 **A. I can't see anybody else.**

4 Q. So in --

5 THE WITNESS: Ms. Miller, I can't --

6 MR. KAHN: Oh.

7 THE WITNESS: -- see you.

8 MS. MILLER: I'm still here.

9 BY MR. KAHN:

10 Q. All right. So the question was, sir, in
11 Plaintiff's Exhibit 4.1, the video we just looked at,
12 Abad makes Mr. Griffin stand up and walk. Right?

13 **A. I see that -- maybe I saw it wrong, but -- I**
14 **might have to see it again, but I did see that Abad**
15 **did try to get Mr. Griffin to stand. It looked like**
16 **Mr. Griffin was standing on his left foot. I thought**
17 **his left foot was the one that was hurt. Or was it**
18 **the right? Did I get that mixed up?**

19 Q. Sir, the question was --

20 MR. KAHN: And I'm going to move to strike
21 that as nonresponsive to the question.

22 BY MR. KAHN:

23 Q. The question is is in Plaintiff's
24 Exhibit 4.1 Abad makes Mr. Griffin stand up and walk.
25 Correct?

1 A. He tried to get Abad to stand. I don't know
2 that he tried to get him to walk. I know he tried to
3 get him to stand.

4 Q. Let's look at the video again.

5 (Video plays.)

6 A. You lost me.

7 BY MR. KAHN:

8 Q. You can't see the video?

9 A. I can see it now. The computer cut out for
10 a second. But I see it. You can go ahead.

11 (Video plays.)

12 BY MR. KAHN:

13 Q. So, sir, the question was in Plaintiff's
14 Exhibit 4.1, the video that we just watched for a
15 second time, Abad makes Mr. Griffin stand up and walk.
16 Correct?

17 MS. MILLER: Objection. Asked and answered.

18 You can answer if you have something new to
19 add.

20 A. He made Mr. Griffin stand, and I don't know
21 if that was Mr. Griffin -- him trying to make
22 Mr. Griffin walk. I'm -- he made Mr. Griffin stand,
23 and I don't know if he was not sure about the broke or
24 not. So --

25

1 BY MR. KAHN:

2 Q. Abad --

3 A. -- yes, he did stand. I don't know if he
4 was trying to make him walk on a -- on a injury.

5 Q. Sure. Well, I guess, let's break it down.
6 In that video that we just watched, Abad was standing
7 behind Mr. Griffin. Correct?

8 A. Beside him, but yes.

9 Q. And Officer Abad --

10 A. Beside, behind.

11 Q. And Officer Abad was urging Mr. Griffin to
12 walk forward. Correct?

13 A. That's correct.

14 Q. Okay. Now, it looked like in that video
15 that Mr. Griffin was in pain, didn't it?

16 A. Yes, sir.

17 Q. Now, did you call an ambulance after it was
18 clear that Mr. Griffin couldn't walk?

19 A. No.

20 Q. Did any of the other --

21 A. Like I said before, it was determined that
22 us getting him treatment was quicker.

23 Q. Did any of the other police officers call an
24 ambulance?

25 A. I don't know that a 4 was called. I know --

1 I don't think they did, no, sir.

2 Q. Okay. Well, do you think Abad did anything
3 wrong in the video we just watched?

4 A. No, sir.

5 Q. So it was okay for Abad to make a seriously
6 injured citizen walk around on a broken ankle?

7 MS. MILLER: Objection.

8 But you can answer.

9 A. I don't know if Abad was trying to make him
10 walk -- cause further injury to Mr. Griffin. I don't
11 know what Abad was thinking.

12 It's about to tell me my computer's about to
13 cut off for some reason.

14 Seems like it's working now. This computer
15 may cut off. If it does, I'll join right back as
16 soon as I figure out what's going on with it.

17 BY MR. KAHN:

18 Q. Okay. So I just -- I'm going to ask that
19 question one more time just to get a clear answer for
20 the record.

21 So, in your opinion, it was okay for Abad to
22 make a seriously injured citizen walk around on a
23 broken ankle.

24 MS. MILLER: Objection.

25 But you can answer.

1 **A. It would not be okay to make Mr. Griffin**
2 **walk on a hurt ankle.**

3 BY MR. KAHN:

4 Q. All right. I'm going to show you another
5 video. This one is going to be marked as Plaintiff's
6 Exhibit 2.2.

7 (Video plays.)

8 BY MR. KAHN:

9 Q. Did you hear the other officer say, "He's
10 got a lot of weight on it," and then you responded,
11 "Just a little bit," in the video we just watched?

12 MR. KAHN: We lost him.

13 (OFF THE RECORD 12:08-12:14 P.M.)

14 BY MR. KAHN:

15 Q. And before we get back into the substantive
16 questions, I've just got to ask, Officer Vickers,
17 during the brief time that we were off of the
18 deposition, did you have any conversations with
19 Mr. Miller, Ms. Parks, or Ms. Nair?

20 **A. I did just to let them know that the**
21 **computer went down and that I'd be back up as soon as**
22 **the computer comes up.**

23 Q. Okay. Excellent.

24 What was the -- what was the last thing you
25 heard me -- or did you see any of the video of

1 Plaintiff's Exhibit 2.2?

2 I'll just start --

3 **A. I think I saw it. You might want to play it**
4 **again.**

5 Q. I'll start there. Okay.

6 All right. So I'm going to play Plaintiff's
7 Exhibit 2.2.

8 (Video plays.)

9 BY MR. KAHN:

10 Q. All right, sir. And so my question -- my
11 first question is did you hear where the other officer
12 said, "He's got a lot of weight on it," and you
13 responded, "Just a little bit"?

14 **A. I did.**

15 Q. And you were joking about Mr. Griffin's
16 weight. Correct?

17 **A. There's a bit about -- yes.**

18 Q. I'm sorry. What was your response?

19 **A. Yes.**

20 Q. Is it okay to make fun of a citizen's
21 weight?

22 **A. I wasn't making fun of his weight.**

23 Q. Does APD tolerate that sort of behavior?

24 **A. Like I said, I wasn't making fun of his**
25 **weight. He's a bigger guy. I mean, that's a fact. I**

1 **wasn't making fun of his weight.**

2 Q. Okay. Well, did you hear where you were
3 talking to the other officer in the video and said, "I
4 did, like, 50," and then said, "There's the skid
5 marks"?

6 **A. I did hear that.**

7 Q. Isn't it true that you were bragging to
8 another officer about tackling Mr. Griffin?

9 **A. Just showing him what happened.**

10 Q. So it's not true that you were --

11 **A. Showing the officer --**

12 Q. -- bragging --

13 **A. -- what happened.**

14 Q. It's not true, sir, that you were bragging
15 to another officer?

16 **A. Like I said, I was just advising the other
17 officer what happened.**

18 Q. And you laughed after you advised the other
19 officer what happened, as you just put it, didn't you?

20 **A. I did chuckle, yes.**

21 Q. What's so funny about what happened?

22 **A. Like I mentioned before, it's not funny.**

23 **Just, you know -- you just -- you don't touch a**
24 **officer. You don't -- you don't -- you don't resist.**

25 Q. If it's not funny --

1 **A. We expect Mr. Griffin to follow the order.**

2 Q. If it's not funny, then why did you laugh?

3 **A. Also, like I said, I didn't expect him to**
4 **fall the way he did.**

5 Q. Is it okay to laugh at a citizen who you've
6 seriously injured?

7 MS. MILLER: Objection.

8 But you can answer.

9 **A. I don't think it's nice to poke fun or**
10 **bully, but to come to an understanding, I didn't see**
11 **anything wrong with it.**

12 BY MR. KAHN:

13 Q. So there was nothing wrong with laughing at
14 Mr. Griffin as he lay on the ground in pain?

15 **A. I wasn't laughing about Mr. Griffin being in**
16 **pain.**

17 Q. What was it that you were laughing about?

18 **A. Just the fact you have to listen to lawful**
19 **orders.**

20 Q. And so that's funny to you?

21 **A. If I'm -- you know . . .**

22 Q. So then you find that funny. Is that right?

23 **A. The tackle?**

24 Q. I don't -- you -- sir, you were the one who
25 was laughing, and my question was what was funny.

1 Only you know that.

2 **A. Just laughing at the tackle and that he fell**
3 **the way he did. I was not laughing at his pain.**

4 Q. All right. I'm going to play -- we're going
5 to leave off right where I left on the video -- where
6 we paused it -- on Plaintiff's Exhibit 2.2.

7 (Video plays.)

8 BY MR. KAHN:

9 Q. Did you hear where you said, "We're laughing
10 at you because you fell pretty hard after pushing an
11 officer, man. I find that funny, man"?

12 **A. I did hear that.**

13 Q. As we sit here today, do you still find that
14 funny?

15 **A. It was just -- you telling it, no.**

16 Q. I'm sorry. What was that?

17 **A. You telling it; us talking about it, no.**

18 Q. That's not quite my question.

19 As we sit here today, do you find the same
20 thing that you were laughing about in that video that
21 I just showed you -- do you still find that to be
22 funny?

23 **A. I understand why I was laughing then.**

24 Q. So do you still find it funny, as we sit
25 here today?

1 **A. It's kind of old now. No.**

2 Q. So it's not funny because it's old now?

3 **A. Trying to make light of a situation then is**
4 **different than talking about it now.**

5 Q. So it's not so funny anymore, is it?

6 **A. Like I say, trying to make light of that**
7 **situation then; talking about it now, no.**

8 Q. I'm going to show you another video. This
9 one is premarked as Plaintiff's Exhibit 4.2.

10 (Video plays.)

11 BY MR. KAHN:

12 Q. Did you hear when you told Mr. Griffin,
13 "You're such a little girl right now"?

14 **A. I did.**

15 Q. Is it okay for police officers to hurt a
16 citizen and then insult them?

17 **A. Not particularly, no.**

18 Q. But that's what you did, though, isn't it?

19 **A. No, sir.**

20 Q. You did not insult Mr. Griffin?

21 **A. I was making awareness of letting -- no,**
22 **sir. I was not trying to insult Mr. Griffin.**

23 Q. So then tell me what did you mean when you
24 said, "You're such a little girl right now"?

25 **A. I mean, I've seen a lot of injuries, had a**

1 lot of injuries, seen a lot of people with a -- a lot
2 weaker than Mr. Griffin have some serious injuries,
3 and I've never heard a grown man sound like that. And
4 I -- I think the alcohol and stuff played a role in
5 it.

6 Q. So, sir, isn't it true that you --

7 A. And I was just trying to make him aware of
8 it.

9 Q. You were trying to make him aware that he
10 sounded like a little girl to you. Is that -- is that
11 what you're saying?

12 A. That's correct. Sometimes when people are
13 intoxicated, they don't -- they don't understand what
14 they're saying or doing.

15 Q. Sir, how -- can you explain to me how
16 calling someone a little girl, letting them know that
17 you think they're being a little girl is not an
18 insult?

19 A. I'm sorry. Can you say that again, please?

20 Q. How is calling another person or telling
21 another person that they're such a little girl not an
22 insult to that person?

23 A. It's more of just awareness. A you're
24 better -- you're better than this. You're stronger
25 than this. I mean . . .

1 Q. So why didn't you use those inspirational
2 words --

3 A. I was not trying to insult him.

4 Q. If you weren't trying to insult him, if you
5 were trying to tell him that "You're stronger than
6 this; you're better than this," then why didn't you
7 just tell him that?

8 A. Saying -- when somebody's intoxicated and
9 stuff, you can only reason with them so much. I
10 wasn't trying to have a big moment there. I was just
11 trying to, you know, let him know, "Hey, this is what
12 you're sounding out -- like right now."

13 Q. Did you hear you and the other police
14 officer laughing and joking about Mr. Griffin?

15 A. What part of Mr. Griffin were we laughing
16 and joking about?

17 Q. Sir, that is my question.

18 A. I don't understand the question.

19 Q. My question was is did you hear you and the
20 other officer laughing and joking about Mr. Griffin.

21 A. If you're referring to the video you just
22 showed me, if we were laughing and joking, we were not
23 trying to exclude Mr. Griffin from it. We weren't
24 trying to pick on him or anything like that. We were
25 just making him aware what he sounds like and dealing

1 with the situation at hand.

2 Q. So is this a group of three friends joking
3 around to you? Is that what you're saying?

4 A. No. We're not -- like the officer said, we
5 didn't know Mr. Griffin. We weren't judging him.
6 Mr. Griffin made a mistake. That didn't mean he was a
7 horrible person. It didn't mean that we didn't --
8 still didn't have to take care of him.

9 Q. Have you seen the movie "Major Payne"?

10 A. I have.

11 Q. What was that reference to "Major Payne"
12 that you were talking about?

13 A. It's a point in the movie that -- a lot of
14 people find it funny when they talk about how you take
15 one pain to get rid of another pain. Once again,
16 trying to get light of the situation. I even asked
17 him -- me saying, "Hey, you seen 'Major Payne'?" --
18 that was me talking to Mr. Griffin. "Have you seen
19 the movie?"

20 Q. That was you talking to Mr. Griffin. Let's
21 take another look at that video.

22 (Video plays.)

23 BY MR. KAHN:

24 Q. So you just said, "You're such a little girl
25 right now. What's wrong with you?" That was just a

1 little motivation for him to keep getting up to the
2 top of the driveway?

3 A. No. At that point we were still trying to
4 figure out what was wrong with Mr. Griffin. I
5 believed, due to his intoxication, him saying he had a
6 leg pain, but he kept putting his weight on the same
7 ankle that's hurt. A person that's not intoxicated
8 doesn't normally do that.

9 And so I was trying to -- it was a moment of
10 trying to figure out what's actually going on with
11 Mr. Griffin and dealing with his intoxication.

12 Q. Well, sir, are you -- are you a paramedic?

13 A. No. But I've had several broken ankle --
14 bones in my ankle and -- including other bones.

15 Q. Do you have a medical degree?

16 A. I've also been tackled several times. I've
17 also been tackled several times. And, no, I don't
18 have a medical degree.

19 Q. So wouldn't it have been better to let the
20 doctors or the paramedics make that evaluation instead
21 of walking Mr. Griffin around on a broken ankle?

22 A. Us standing him up right there was trying to
23 get him to care. We didn't realize that he was
24 severely hurt. Once we did realize that, we left him
25 there, and we backed the vehicle up to him. And we

1 **turned him around and got him into that vehicle as**
2 **best we could so we could transport him to Grady as**
3 **soon as possible.**

4 Q. All right. So let's go back to the video.

5 (Video plays.)

6 BY MR. KAHN:

7 Q. So, sir, if I understand correctly, is it
8 your testimony today that we did not just look at a
9 video of you and another officer laughing and joking
10 about Mr. Griffin?

11 A. We were joking about a movie, and we were
12 trying to get -- well, I can't tell you what the other
13 officer's doing, but I can tell you that it was my
14 attempts to get Griffin to lighten up and to get his
15 mind off his current situation.

16 Q. Does the police academy teach recruits to
17 mock injured citizens?

18 A. No, sir.

19 Q. That's not okay, is it?

20 A. No, sir.

21 Q. Why did you make Mr. Griffin try to walk
22 after you saw how much pain he was in?

23 A. Once we saw how much pain he was in, then I
24 did not try to make him walk.

25 Q. Well, the video that we just looked at,

1 Plaintiff's 4.2, Exhibit 4.2 -- wasn't that after you
2 had already seen Officer Abad try to make him walk and
3 he fell down in pain?

4 **A. Yes. And that's why me and the other**
5 **officer there were holding Mr. Griffin up, and he**
6 **was -- the attempts was to put his weight on his good**
7 **ankle, but he wanted to put his weight on his bad**
8 **ankle. We never wanted him to walk on his bad ankle.**

9 Q. All right. I'm going to show you another
10 video clip. This is going to be Plaintiff's
11 Exhibit 3.3.

12 (Video plays.)

13 BY MR. KAHN:

14 Q. What's that vehicle that you're trying to
15 load Mr. Griffin into?

16 **A. That is a -- our wagon. It's one of our**
17 **wagons that we use to transport.**

18 Q. Did you see the other officer grab
19 Mr. Griffin by the ankle?

20 **A. He grabbed him by the upper leg.**

21 Q. Is there anything wrong with the way that
22 any of the officers in Plaintiff's Exhibit 3.3
23 behaved?

24 **A. Them not knowing the current situation and**
25 **everything, no, I don't think so.**

1 Q. Was there anything wrong with your body cam
2 on April 5th, 2019?

3 A. That, I don't know, sir.

4 Q. Well, didn't you tell the OPS investigator
5 that you had a problem with it?

6 A. If that was the date, then, yes, sir.

7 Q. Let's just pull up the exhibit.

8 Can you see Plaintiff's Exhibit 42 on your
9 screen?

10 A. I can.

11 Q. Do you see -- let me zoom in on this so we
12 can see it better.

13 Do you see where Plaintiff's Exhibit 42
14 summarizes what you told Investigator Nixon and it
15 says, "For whatever reason, it wasn't operating the
16 way it should have -- or should of or I don't know."

17 That's right there.

18 A. Yes, sir, I see it.

19 Q. And did -- I read that correctly?

20 A. Yes, sir.

21 Q. So then you told Investigator Nixon that
22 your body camera wasn't working. Right?

23 A. Yes, sir. I don't know if it was -- like I
24 said before, I don't know if it was a user error or if
25 it was a camera malfunction.

1 Q. Well, we know for a fact that it was not a
2 camera malfunction, don't we?

3 MS. MILLER: Objection.

4 But you can answer if you know.

5 A. No, sir.

6 BY MR. KAHN:

7 Q. Excuse --

8 A. No, sir.

9 Q. We do -- we do not know that?

10 A. I don't know that, sir. That was an old
11 camera -- to go further into it -- old camera.
12 There's a switch at the top. There's been many
13 complaints with the old camera that the switch was
14 easy to turn off and on. I don't know if I kept
15 hitting it. I don't know. Or I don't know if it was
16 the camera itself that was messed up.

17 Q. All right. Can you see the screen -- my
18 screen in Plaintiff's Exhibit 42, sir?

19 A. Yes, sir.

20 Q. Do you see where it says "A diagnostic
21 evaluation of the BWC issued to SPO Vickers at the
22 time of this incident does not indicate that the
23 device suffered any type of malfunction -- or failure
24 or malfunction attributed to anything other than the
25 failure of the operator to properly activate the

1 device. SPO Vickers did not report any issues about
2 his camera at the time or immediately after this
3 incident occurred."

4 Did I read that correctly, sir?

5 **A. Yes, sir.**

6 Q. So isn't it true, then, sir, that we know
7 for a fact that there was no malfunction with the
8 camera, the body camera?

9 MS. MILLER: Objection.

10 **A. Once again --**

11 MS. MILLER: But you can answer if you know.

12 **A. No, sir. We don't know. I did make issues**
13 **about the camera not working. I can't tell you**
14 **exactly when that was made. But also I can tell you,**
15 **like I said, sometimes -- and I guess it's possible**
16 **that my camera could have been one of them as well --**
17 **the on-and-off button was easy to get hit and switched**
18 **on and off. It could be done accidentally. I don't**
19 **know, sir.**

20 BY MR. KAHN:

21 Q. Is it your testimony that you -- that you
22 just don't remember the -- you don't remember at what
23 point you realized that the camera was off and tried
24 to turn it on?

25 **A. No, sir. I don't remember the exact point,**

1 **no, sir.**

2 Q. Okay. Is it unusual for police officers to
3 turn off their body camera in the middle of an arrest?

4 MS. MILLER: Objection.

5 But you can -- I'm sorry. You can answer if
6 you know.

7 **A. With current policy, no, sir. I mean, it --**
8 **you're not supposed to.**

9 BY MR. KAHN:

10 Q. So I know you're not supposed to. The
11 question is is it unusual for police officers to turn
12 off their body camera in the middle of an arrest.

13 MS. MILLER: Same objection.

14 But you can answer.

15 **A. That -- there has to be some reason for it,**
16 **sir.**

17 BY MR. KAHN:

18 Q. Well, is that something that happens
19 frequently in the Atlanta Police Department?

20 MS. MILLER: Objection.

21 **A. Not that I know of.**

22 BY MR. KAHN:

23 Q. Isn't the point of the body camera so it
24 captures the entire event?

25 **A. For the most part, yes, sir.**

1 Q. Now, have you ever heard of police officers
2 turning off their body camera after the use of force
3 to get their stories straight with each other?

4 **A. You cut out a little bit.**

5 Q. Sure.

6 **A. Can you repeat that?**

7 Q. I can. I can.

8 The question was have you ever heard of
9 police officers turning off their body cam after the
10 use of force in order to get their stories straight
11 with each other.

12 **A. After the incident -- not to get their**
13 **stories straight, but just to collaborate everything**
14 **that took place and add everything together.**

15 Q. So it is -- it is common, then, for police
16 officers to turn their body camera off and talk about
17 the use of force at the scene of the arrest.

18 MS. MILLER: Objection.

19 But you can answer if you know.

20 **A. Only after the incident's over, sir.**

21 BY MR. KAHN:

22 Q. All right. I want to show you a few more
23 video clips.

24 All right. We're going to take a look at
25 Plaintiff's Exhibit 2.5.

1 (Video plays.)

2 BY MR. KAHN:

3 Q. Did you hear yourself say, "Hey I'm going to
4 save my camera life," just before the video ended?

5 **A. That's correct.**

6 Q. And I'm -- let me -- I didn't mean to get
7 rid of that screen. If you'll give me just a moment
8 here.

9 And if you look at the upper right-hand
10 corner of Plaintiff's Exhibit 2.5, you can see that it
11 says "T08:11:00." Correct?

12 **A. Yes, sir.**

13 Q. And that's a time stamp. Right?

14 **A. I believe so, yes, sir.**

15 Q. All right. I'm going to show you what's
16 been premarked as Plaintiff's Exhibit 5.2.

17 **A. I can't see anything, sir.**

18 Q. You didn't see the video I just showed?

19 **A. No. I can -- I can hear something, but I
20 can't see anything.**

21 MS. MILLER: It wasn't displayed on the
22 screen.

23 BY MR. KAHN:

24 Q. I see. Let me -- let me try that again.
25 Can you see it now?

1 **A. Yes, sir.**

2 Q. Okay.

3 (Video plays.)

4 BY MR. KAHN:

5 Q. And you hear yourself say, "Hey, everyone
6 still on?"

7 **A. The audio when you're talking is going in
8 and out. You're asking if I hear myself say, "Hey, is
9 everybody still on?" Is that correct?**

10 Q. Yes, sir. Yes, sir.

11 **A. Yes, sir, I hear that.**

12 Q. And that was confirming whether or not all
13 the other officers in your general vicinity were on
14 their body cam footage. Correct?

15 **A. That's correct. Because I was cutting mine
16 off. I wanted to make sure theirs get it.**

17 Q. And if you look at the upper right-hand
18 corner, the end of that -- this video is T08:11:16.
19 Correct?

20 **A. That's correct.**

21 Q. All right. Now I'm going to show you -- can
22 you see my screen?

23 **A. Yes, sir.**

24 Q. I'm going to show you Plaintiff's Exhibit --
25 MR. KAHN: It looks like -- who is Mr. Kane?

1 MS. MILLER: Okay. It looks like we had
2 Abad set to join at around 12:50 to start his
3 deposition at 1. And so he's going to go off. Can
4 we -- can -- I mean, do we have a time that we believe
5 this deposition will be over for him to start?

6 MR. KAHN: I am not going to finish by 1. I
7 can tell you that. Do you need to take a minute to
8 speak with Officer Abad?

9 MS. PARKS: Can we go off the record?

10 MS. MILLER: Officer Abad -- yes. Can we go
11 off the record, please?

12 (OFF THE RECORD 12:45-12:48 P.M.)

13 BY MR. KAHN:

14 Q. So I'm going to -- I'm going to share my
15 screen with you again, sir, and show you a video
16 that's been marked as Plaintiff's Exhibit 3.1.

17 (Video plays.)

18 BY MR. KAHN:

19 Q. Now, 3-point -- Plaintiff's Exhibit 3.1
20 shows you reactivating your body camera. Is that
21 correct?

22 **A. That's correct.**

23 Q. And we see the time stamp here at the
24 beginning of Plaintiff's Exhibit 3.1 says "T08:12:42."
25 Right?

1 **A. That's correct.**

2 Q. And doesn't that mean that you turned your
3 body cam off for just under two minutes?

4 **A. I believe so, yes.**

5 Q. Why did you do that?

6 **A. The only thing I can say is from the initial**
7 **cutoff, it was to conserve battery life. Why I had to**
8 **cut it back on, I don't know. I'm assuming because**
9 **I'm probably going to have to deal with Mr. Griffin**
10 **again.**

11 Q. Who did you speak to during --

12 **A. And if I'm going to deal with Mr. Griffin, I**
13 **want it on.**

14 Q. Sure. During the -- during the
15 approximately two minutes that your camera was off,
16 who did you speak to?

17 **A. That, I don't know. I can't make out that**
18 **officer, and I don't know if I was speaking to that**
19 **officer.**

20 Q. Did you -- did you talk to anybody in the
21 approximately two minutes that your camera was off?

22 **A. I'm assuming I did being that I was right**
23 **there with those officers. I'm sure we spoke on**
24 **something. I don't know what.**

25 Q. Do you have any recollection about what you

1 spoke -- or about what you spoke and to whom you spoke
2 it?

3 **A. You broke up. I'm sorry.**

4 Q. Do you have any recollection of who you
5 spoke with?

6 **A. No, sir, I don't.**

7 Q. During that almost two-minute period that
8 you turned your body cam off, did you get with the
9 other police officers to make sure that your stories
10 lined up?

11 **A. I don't think so, sir. They didn't have**
12 **anything to do with the case. Unless it's just Abad.**
13 **Those other officers really weren't there.**

14 Q. I think we can see that -- let me share --
15 let me share the other exhibit with you. Plaintiff's
16 Exhibit 3.1 it was.

17 That's the wrong exhibit. Excuse me.

18 I think we can see from Plaintiff's
19 Exhibit 5.2 that it was Abad sitting in the driver's
20 seat of a police vehicle. Do you see that?

21 **A. Yes, sir, I do. I see the side of his face,**
22 **yes, sir.**

23 Q. Okay. Excellent. So then I'll ask the
24 question just once more now that we've established
25 that fact.

1 During the almost two-minute period that you
2 turned your body cam off while you were standing
3 directly next to Mr. -- or Officer Abad, did you get
4 with Officer Abad to compare stories and line -- make
5 sure they line up?

6 **A. Being that that was Abad, we probably did**
7 **talk. What we talked about, I can't recall.**

8 Q. Do you think that you compared stories to
9 make sure they lined up?

10 **A. We probably talked about the incident. I**
11 **don't -- I don't know what we talked about, sir.**

12 Q. So for all -- for all we know, you could
13 have talked with Officer Abad, compared stories, and
14 made sure that y'all were on the same page. Is that
15 right?

16 **A. Possibly. Yeah. I don't -- I don't --**
17 **that's possible.**

18 Q. Is there anything wrong with what you did in
19 those videos we just looked at?

20 **A. I believe Abad's camera was on. Knowing**
21 **policy, I probably shouldn't have cut my camera off.**

22 Q. So is there anything wrong with what you
23 did?

24 **A. Like I said, I probably shouldn't have cut**
25 **my camera off. Did it -- did it change the outcome or**

1 **anything? Was there any foul play? No, sir.**

2 MR. KAHN: Move to strike that as
3 nonresponsive.

4 BY MR. KAHN:

5 Q. Are cops allowed to just turn off their body
6 cameras whenever they want?

7 A. Not during a case, sir. Not during an
8 incident where I'm dealing with the suspect or --
9 well, suspect. There'd have to be something pretty
10 major to cut it off like that when I'm dealing
11 face-to-face with a suspect.

12 Q. There are rules against doing that, in fact,
13 aren't there? There are rules against cutting off
14 your body camera whenever you want.

15 A. We have a policy, yes, sir.

16 Q. Don't you think that the jury in this case
17 deserves to hear what you said during those
18 approximately two minutes that your camera's off while
19 you were standing next to Officer Abad?

20 MS. MILLER: Objection.

21 But you can answer.

22 A. What I said wasn't to Mr. Griffin.
23 Mr. Griffin was not there. So I don't think it would
24 have made or break anything. Like I said, there was
25 no foul play. So I don't think so.

1 BY MR. KAHN:

2 Q. After the incident on April 5th, did you
3 speak with Officer Abad about what happened at any --
4 at any time?

5 A. Yes, sir, I'm sure we did.

6 Q. On how many occasions did you speak with
7 Officer Abad about this case?

8 A. I couldn't even give you a ballpark. I
9 don't know. We spoke several times.

10 Q. Several times. Did either of you speculate
11 that -- oh, I didn't mean -- I didn't realize you
12 weren't -- you weren't through. You can -- you can
13 finish.

14 A. Oh, I was just going to say we really didn't
15 speak on it until -- we probably spoke on it maybe,
16 you know, just with people around, "Hey, this is what
17 we did last night," or whatever. But that was pretty
18 much dropped. And then probably, you know, a few
19 months later, when we found out there was a complaint,
20 we -- it probably brought things back up again, but
21 that's it.

22 Q. Did either of you speculate that Mr. Griffin
23 might make a complaint?

24 MS. MILLER: Objection.

25 But you can answer if you know.

1 **A. We didn't know. We didn't know. We**
2 **didn't . . .**

3 BY MR. KAHN:

4 Q. Did either of you have -- or I'll ask just
5 for you.

6 Did you speculate that Mr. Griffin might
7 make a complaint?

8 **A. I can't -- can't really recall. I don't --**
9 **I don't think it's speculating. Maybe a thought will**
10 **go through your head. That happens on a lot of cases.**

11 Q. Sure.

12 **A. So, I mean, the better answer I just -- I**
13 **can't recall.**

14 Q. That's fair.

15 Were you surprised to learn that Mr. Griffin
16 had, in fact, filed a complaint?

17 **A. I think when we found out, yeah, we were.**

18 Q. Did you ever send text messages to Abad
19 about what happened with Mr. Griffin?

20 **A. Not that I know of.**

21 Q. Do you -- do you and Abad ever communicate
22 through text message socially?

23 **A. Me and him? Very rarely. I think we**
24 **usually just call one another.**

25 Q. So there are no text messages out there in

1 which the two of you are discussing this case?

2 **A. Not that I know of.**

3 Q. Did you meet with Abad at any time before
4 the OPS interviews to talk about what happened on
5 April 5th?

6 **A. I think we bumped each other in**
7 **headquarters -- excuse me -- a few weeks ago. But we**
8 **were just passing each other in the hall, whatever,**
9 **saying "hey" to each other. We didn't really -- we've**
10 **never planned to say, "Hey, let's meet and let's talk**
11 **about this or discuss this." No.**

12 Q. And so just to clarify, I'm talking about
13 the OPS interviews, so the internal affairs
14 investigation about Tyler's complaint. Before you
15 were interviewed by Investigator Nixon, did -- sorry.
16 Let me just strike that. That was a terrible
17 question.

18 So my question is is specifically, before
19 your OPS interviews with Investigator Nixon, did
20 either you -- did either of you get together -- you
21 being Abad -- get together to talk about this case
22 before the interview?

23 **A. Okay. So when it was going through internal**
24 **affairs, OPS, we were still working side by side with**
25 **each other. So I'm sure we talked about it a little**

1 **bit.**

2 Q. At any point did you -- did you talk to each
3 other about what you would say to Investigator Nixon?

4 A. I mean, I can't recall everything that was
5 said. I mean, I think it would be natural for us to
6 kind of give a little, you know, speculation of what
7 questions they might would ask us or whatever, but I
8 don't think -- I mean, I can't -- I can't really
9 recall.

10 Q. Did you and Abad practice how you would
11 answer certain questions that you talked about?

12 A. No, sir. We never practiced, rehearsed, or
13 anything like that. Not that -- not that I can
14 recall.

15 Q. At any time did you ask Abad to testify a
16 certain way?

17 A. No, sir.

18 Q. At any time did Abad ask you to testify a
19 certain way?

20 A. No, sir.

21 Q. I want to ask you a few questions about the
22 police report in this case.

23 Sir, can you see Plaintiff's Exhibit 48 on
24 your screen?

25 A. I can.

1 Q. All right. I'm going to flip down here to
2 the narrative. Do you see where the police report
3 says Mr. Griffin, quote, was having difficulty
4 maintaining balance on his own as he was leaning onto
5 Abad's arm that was holding his shirt to assist him in
6 balancing?

7 A. Yes, sir, I see it.

8 Q. And we watched -- we watched a video of that
9 occurrence today, didn't we?

10 A. Yes, sir.

11 Q. And you testified that Mr. Griffin had no
12 trouble maintaining his balance, didn't you?

13 A. No. I didn't say he had trouble maintaining
14 his balance. I said he was standing -- he did have
15 his arm up on the door. It doesn't take much leverage
16 to hold yourself up to keep yourself from falling if
17 you're holding onto a car or door. Mr. Griffin was
18 doing it with me and the other officer when we had him
19 standing.

20 Q. I didn't see Mr. Griffin holding Abad's arm
21 for balance. Did you?

22 A. I don't recall him holding Abad's arm --
23 Abad's arm for balance.

24 Q. And so that part of the police report is
25 false, isn't it?

Griffin vs. City of Atlanta

Donald Vickers

1 MS. MILLER: Objection.

2 But you can answer if you know.

3 A. I'm not Abad. I didn't write the report.
4 Mr. Griffin was holding himself up. Abad didn't go
5 back and look at the video after the arrest. So he
6 was going off his own memory and his own -- you know,
7 what he recalled.

8 BY MR. KAHN:

9 Q. Sir, so that part of the police report is
10 not true. Right?

11 MS. MILLER: Objection.

12 But you can answer if you know.

13 A. It's not true as far as from what I could
14 tell. He wasn't leaning to Abad's arm, but he was
15 using the door on the car for balance.

16 BY MR. KAHN:

17 Q. Let's look at the video again. Let me show
18 you Plaintiff's Exhibit 1.3.

19 (Video plays.)

20 BY MR. KAHN:

21 Q. Where in Plaintiff's Exhibit 1.3 did you see
22 Mr. Griffin hold Abad for balance?

23 A. Like I said, I did -- I didn't recall seeing
24 Mr. Griffin holding Abad's arm for balance.

25 Q. He didn't do that.

1 So my question to you, then, is how can we
2 trust anything that Abad says if he's willing to lie
3 in a police report?

4 MS. MILLER: Objection. Yeah. I'm going to
5 instruct you not to answer that.

6 MR. KAHN: On what basis are you going to
7 instruct him not to answer that? Is this
8 attorney-client privileged information? Because
9 that's the only legitimate basis for you to do so.

10 MS. MILLER: The question was whether Abad
11 was lying in the police report and why could we trust
12 that. Is that the question?

13 MR. KAHN: Well, the question was how can we
14 trust Abad -- anything Abad says if he's willing to
15 lie in the police report.

16 MS. MILLER: Okay. I'll take that objection
17 back. I'll withdraw that objection.

18 Go ahead. You can answer if you know,
19 Officer Vickers -- SPO Vickers.

20 BY MR. KAHN:

21 Q. Just so we have --

22 **A. Like I said --**

23 Q. So we have a clean record, I'm going to ask
24 that question one more time.

25 And the question is how can we trust

1 anything Abad says if he's willing to lie in a police
2 report?

3 **A. There's a big difference between lying and**
4 **going off what you recall. Like I said, I could see**
5 **Mr. Griffin using the car to hold himself up -- his**
6 **balance. Abad probably remembers it a little**
7 **differently.**

8 I don't see how you can just -- I mean, I
9 think you can tell the difference between a blatant
10 lie and, you know, going off memory or what Abad
11 recalled.

12 Q. All right. Were you investigated by the
13 Office of Professional Standards for the way that you
14 treated Mr. Griffin?

15 **A. Yes, sir, I was.**

16 Q. Were you investigated for the use of
17 excessive force?

18 **A. Yes, sir.**

19 Q. What was the finding of that investigation?

20 **A. There -- the case is still open as far as I**
21 **know.**

22 Q. The OPS investigation is open as far as you
23 know?

24 **A. Yeah. They haven't got back to me on the**
25 **whole -- the whole findings and of the use of force.**

1 Q. So no one has -- no one has spoken to you
2 about the investigative findings of the use of force
3 and the other allegations concerning Mr. Griffin?

4 A. Yes, sir. I haven't -- I haven't signed
5 anything on use of force or other allegations as far
6 as that. The only thing I've received was body-worn
7 camera. That's the only thing I've been informed
8 about.

9 Q. Well, I guess, then, let me ask you this:
10 Do you think that you should be sustained on your
11 allegation of excessive force?

12 A. Absolutely.

13 Q. You absolutely think it should be sustained?

14 A. Yes, sir.

15 Q. All right. Let's go through some of your --
16 some of the --

17 A. It should --

18 Q. -- investigative --

19 A. -- be --

20 Q. -- papers. All right. I'm going to show
21 you Plaintiff's Exhibit 42 if I can find it. All
22 right.

23 So we're going to go to the first page of
24 Plaintiff's Exhibit 42. So the first page of this
25 exhibit shows the investigation disposition for each

1 of the claims that were brought against you. Correct?

2 **A. That's correct.**

3 Q. Do you see first it says that you were
4 exonerated for maltreatment or unnecessary force?

5 **A. I think this is the first time I've seen**
6 **this. If you don't mind, just give me a sec.**

7 Q. Yeah. Of course. Of course.

8 **A. Okay. I'm sorry. I -- at first when I was**
9 **reading it, it looked like something different. Go**
10 **ahead, sir.**

11 Q. Do you agree with that finding?

12 **A. With not sustained?**

13 Q. With exonerated.

14 **A. Yes, sir.**

15 Q. Now, have you heard the testimony of any of
16 the other police officers in this case?

17 **A. No, sir.**

18 Q. So you haven't heard Investigator Nixon's
19 testimony on behalf of the City of Atlanta that the
20 force that you used was excessive?

21 **A. No, sir. I haven't -- I haven't heard that.**

22 Q. All right. I'm going to pull up a little
23 exhibit here.

24 Can you see the -- can you see what appears
25 to be the cover page of a 30(b)(6) deposition of

1 Arthur Nixon?

2 **A. Yes, sir.**

3 Q. All right. I'm going to scroll down here.
4 And do you see the highlighted text where it says "Do
5 you think there's anything wrong with the way that
6 Defendant Vickers acted in Plaintiff's Exhibit 1.2?"

7 And then Investigator Nixon responds, "Yes."

8 Do you see that?

9 **A. Yes, sir.**

10 Q. And then the next question -- Ms. Nair
11 raised an objection; so I'm going to omit that from
12 what I read to you, but let the record show that it is
13 there.

14 And then I asked Investigator Nixon, "Do you
15 think that Defendant Vickers was justified in his use
16 of force?"

17 To which he responds, "Again, I would have
18 handled it differently. I wouldn't have tackled
19 someone like that for a swiping of the hand. So I
20 would have handled -- I would not have tackled."

21 Do you see that?

22 **A. I do.**

23 Q. What do you think about that?

24 **A. I don't know what he's experienced or**
25 **anything like that. That's -- I mean, he wasn't**

1 **there. I was. I saw a threat, and I handled it.**

2 Q. Now, have you heard SPO Fite's testimony,
3 your own use-of-force instructor, that was on behalf
4 of the City of Atlanta, that the force that you used
5 against Mr. Griffin was excessive?

6 **A. No, sir.**

7 Q. Can you -- can you now see what appears to
8 be the cover page of a 30(b)(6) deposition of Patrick
9 Fite?

10 **A. Yes, sir, I can see that.**

11 Q. Do you see where it says -- and it's on two
12 pages; so I'm -- so I'll have to scroll. But do you
13 see where it says "So I'm going to ask the question
14 again. That was an answer, but it -- I don't think it
15 answered my question. And that's, based on what you
16 saw, Mr. Fite, was the use of force justified in the
17 video"?

18 And then Mr. Fite responds -- SPO Fite
19 responds, "From what I saw, I wouldn't think so."

20 Do you see that?

21 **A. Okay.**

22 Q. And you see that the --

23 **A. I see it.**

24 Q. You see that there was no objection by the
25 City of Atlanta for this bit of testimony. Correct?

1 **A. I see that.**

2 Q. So it's on behalf of the City of Atlanta in
3 this case. Right?

4 MS. MILLER: Objection.

5 But you can answer if --

6 **A. I'm sorry.**

7 MS. MILLER: -- you know.

8 **A. I didn't hear your question.**

9 BY MR. KAHN:

10 Q. I'll withdraw that.

11 **A. I didn't hear the question. All I heard**
12 **was --**

13 Q. It's fine. I'll withdraw it. It is
14 binding; so it doesn't matter.

15 Well, let me just ask you, Officer Vickers,
16 what do you think about that testimony?

17 **A. Once again, that's how he would have handled**
18 **it. That's what he saw. I was there. I saw and felt**
19 **a threat, and I handled it.**

20 Q. So you did testify that SPO Fite was your
21 instructor for use of force, didn't you?

22 **A. That's correct.**

23 Q. So do you think the jury should listen to
24 what SPO Fite has to say about the way that you acted?

25 **A. That's up to the jury.**

1 Q. Do you have any idea why you were exonerated
2 on the use of excessive force if two senior-ranking
3 officials, including the person who investigated you,
4 thought the force that you used was excessive?

5 MS. MILLER: Objection.

6 But you can answer that question.

7 **A. Once again, I don't know what they were**
8 **feeling, what they were thinking. But as far as**
9 **exonerated, there was a threat. I felt the threat.**
10 **There was a danger. I took care of it.**

11 BY MR. KAHN:

12 Q. Isn't it -- isn't it because the use of
13 excessive force is tolerated by the City of Atlanta
14 Police Department?

15 MS. MILLER: Objection.

16 But you can answer if you know.

17 **A. I think the City of Atlanta does a good job**
18 **on treating everybody fairly.**

19 BY MR. KAHN:

20 Q. All right. Let's go back to Plaintiff's
21 Exhibit 42. Do you see next where it says that you
22 were sustained for violating the rule on reporting
23 when force was used?

24 **A. Yes, sir, I see that.**

25 Q. Do you agree with that finding?

1 **A. That's their policy. This is the first time**
2 **I've seen of it. I'm not running a judgment on it. I**
3 **can say that a report definitely wouldn't have hurt.**

4 Q. So then what we're looking at here, this
5 sustained finding -- that means that you failed to
6 report the use of force against Mr. Griffin, doesn't
7 it?

8 **A. No. I don't think it says I failed to**
9 **report the use of force. We notified a supervisor of**
10 **the incident.**

11 Q. Well, then why were you sustained for
12 failing to report force when it's required?

13 **A. Because I didn't do a written report.**

14 Q. Next, it says that you were sustained for an
15 unsatisfactory performance.

16 Do you see that?

17 **A. I do see that, sir.**

18 Q. What -- do you agree with that finding that
19 you performed unsatisfactorily?

20 **A. Like I said, this is the first time I've**
21 **seen all this. I'd like to see what parts -- but I**
22 **can't give you a definite answer on that right now.**

23 Q. Well, do you agree that your performance in
24 the videos that we've watched was not satisfactory?

25 **A. I can't answer that right now.**

1 Q. Why not?

2 A. I haven't evaluated it. I don't -- when
3 they say "unsatisfactory," I don't know which parts
4 they're talking about.

5 Q. All right. That's fair. We'll get into
6 that.

7 Next, it says that you were -- there was a
8 sustained finding for failing to conform to
9 directives -- the conformance to directives work rule.

10 Do you see that?

11 A. I do see that one.

12 Q. And that was -- that violation was about
13 your conduct regarding the body cam and Tyler Griffin.
14 Is that right?

15 A. That's correct, sir.

16 Q. Do you agree with that finding, that
17 sustained finding?

18 A. I do, sir.

19 Q. And then, finally, it says you were -- you
20 were sustained for violating the rule about
21 appropriate action that is required.

22 Do you see that one?

23 A. I do see that one.

24 Q. And does that relate to your failure to call
25 for medical attention for Mr. Griffin?

1 **A. It could. I don't -- like I said, I can't**
2 **agree to it, because I don't know which part they're**
3 **talking about.**

4 Q. Okay. So based on what we're looking at
5 here, you were found to have violated all of the rules
6 that you were accused of violating except for the use
7 of force. Correct?

8 **A. That's correct.**

9 Q. Do you understand that to mean that the City
10 of Atlanta supports and condones the force that you
11 did use against Mr. Griffin?

12 MS. MILLER: Objection.

13 But you can answer.

14 **A. I do. I believe they looked into it. They**
15 **obviously did an investigation. They -- they're**
16 **accusing me of all this other stuff. I think after**
17 **doing an investigation, they can see that once**
18 **Mr. Griffin was no longer a danger or a threat, his**
19 **well-being was a concern of mine.**

20 BY MR. KAHN:

21 Q. All right. We're going to flip over to
22 page 3. All right. Do you see the highlighted text
23 that says "SPO Vickers did not relay pertinent
24 information to his supervisor (nor in writing)
25 concerning the tackling of and injury sustained by

1 Mr. Griffin"?

2 **A. I do see that.**

3 Q. Why didn't you tell your supervisor about
4 the force that you used on Mr. Griffin?

5 **A. That was mentioned. I think -- I think**
6 **because it was done over air, over radio. At that**
7 **time, when I was dealing with that, the supervisors**
8 **and the zone was going through a lot. I may have not**
9 **made myself clear.**

10 Q. So is it your testimony that you think
11 Plaintiff's Exhibit 42, which is an OPS document, is
12 incorrect?

13 **A. Do I think it's -- if no supervisor was**
14 **aware of it, I guess I didn't make myself clear.**
15 **That's all I can say.**

16 Q. Did you know that you were supposed to tell
17 your supervisor when you used force in the field?

18 **A. Yes, sir.**

19 Q. So is it fair to say, then, that you chose
20 not to tell your supervisor?

21 **A. No, sir, that's not fair.**

22 Q. Let's flip to page 4. Do you see the
23 highlighted text? And I'm going to -- I'm going to --
24 for the record, I'm going to omit the parenthetical.

25 Do you see the highlighted text that says

1 "SPO Vickers' multiple failures during this incident
2 as indicated . . . place him in clear violation of
3 ADP.SOP.2010 Work Rules 4.2.37"?

4 **A. Yes, sir.**

5 Q. Did you know at the time that you were
6 supposed to call an ambulance for Mr. Griffin?

7 **A. Yes, sir. At that time, it was my goal to**
8 **get Mr. Griffin to the hospital as soon as possible**
9 **and get him the care he needed, and I knew that we**
10 **could get him there quicker than the Grady EMS units**
11 **could arrive. And, you know, it was raining and**
12 **stuff.**

13 **I guess, you know, I should have took the**
14 **extra time and had Mr. Griffin sit out there and wait,**
15 **if that's what they're saying.**

16 Q. Do you see the highlighted text that says
17 "SPO Vickers' body-worn camera was not activated at
18 the onset of this call for service and did not start
19 recording until he had already made the tackle of
20 Griffin and was on the ground with him"?

21 **A. Yes, sir, I see that.**

22 Q. And you told Investigator Nixon that there
23 was a problem with your camera.

24 **A. Yes, sir.**

25 Q. I guess we already looked at this, but I'm

1 going to go through it again.

2 A. I told him that I had problems with my
3 camera. I don't know --

4 Q. Sorry. What?

5 A. I told him I was having problems with the
6 camera. Now, as far as that incident, like I said --
7 you asked me about -- I don't know if that was a
8 malfunction or if that was a user error.

9 Q. Don't -- do you -- do you understand what --
10 this text to mean in this OPS document that it was not
11 a malfunction; that it was, in fact, a user error?
12 You being the user.

13 A. Okay. Once again, that just shows that the
14 camera's been switched on and off. That doesn't mean
15 that the button's loose, and it doesn't mean that it
16 didn't accidentally get switched off.

17 And I don't work for that unit. I don't
18 know the diagnostics that they do on the camera. I
19 mean, I see what you -- when you do an audit, I can
20 see that. But other than just using the camera and
21 able to see the audit -- what it tells you to do, I
22 don't know what-all it can pick up and what it can't
23 pick up as far as errors.

24 Q. Well, did you --

25 A. I mean, I had -- the camera before that had

1 a screw that came out of it.

2 Q. Did you appeal this finding --

3 A. Are you going to let me finish?

4 Q. -- made by OPS?

5 You're still speaking?

6 A. Actually, that just came down to me -- no.

7 It came down. I signed it. We have a new camera now.

8 And to be honest, I'm over it. But I signed it.

9 There's -- because there's no way for me to
10 prove what happened that day. So I gave them my
11 story, and they stuck to their guns. And that's all
12 that can be done.

13 But, like I mentioned before, one of the
14 cameras I turned in had a screw that was coming out of
15 it. The audit doesn't pull that up. The audit
16 doesn't show, hey, camera's missing a screw.

17 Q. Well, how do you know that?

18 A. They showed me the audits. It just shows
19 you when the camera was activated, when it was
20 recording, what it recorded, and when it was turned
21 off and on.

22 Q. Well, what was your punishment for
23 everything that you did to Mr. Griffin?

24 A. Like I said, I haven't signed anything yet;
25 so I don't know.

1 Q. You haven't been -- you haven't been
2 suspended for this?

3 A. The camera -- I just got that. I will be
4 suspended for that.

5 Q. So when I say -- when I say what is your
6 punishment for everything that you did for -- to
7 Mr. Griffin, I mean everything we just went through in
8 Plaintiff's Exhibit 42 and not necessarily the
9 excessive force. So have you been informed of what
10 your punishment will be for all of the rule violations
11 that we just --

12 A. Not at this time, I have not. At this time
13 I have not.

14 Q. But, then, how are you aware that you will
15 be suspended?

16 A. Only for the body camera. Only for the body
17 camera. I -- that's a separate unit that handle --
18 the body camera unit -- from what I'm told, they deal
19 with just the body camera issues and policy.

20 So they just finished their findings, and I
21 met with them last week. I believe it was last week.
22 Whatever the 15th was. Yeah, it was last week.

23 Q. All right. Have you seen Plaintiff's
24 Exhibit 45 before?

25 A. No, I don't think I've seen this.

1 Q. I want to go through a few -- a few of these
2 things anyway.

3 So do you see where it says -- there's a
4 category that says "Rule." Do you see where it says
5 Rule 4.2.51?

6 A. I do.

7 Q. And as we know, that was for failing to
8 report the use of force. Correct?

9 A. Yeah. I'd have to look back to make sure it
10 matched the -- I assume so.

11 Q. And then we have the "Recommended Action,"
12 and it says "OA." Oral admonishment?

13 A. Okay.

14 Q. I am asking you. Is that -- is that what
15 you understand that to mean?

16 A. I believe so. Forgive me. This is my first
17 time seeing this. I don't think I've ever seen a form
18 before. So this is my first time looking at it. But
19 that -- yeah. I'm pretty sure that's what that means.

20 Q. Well, what happens typically during an oral
21 admonishment?

22 A. This is just my understanding: That an oral
23 would be given -- oral reprimand -- within a reckoning
24 period. If it happens again, it goes up to a category
25 higher, and --

Griffin vs. City of Atlanta

Donald Vickers

1 Q. Did --

2 A. -- so on.

3 Q. Sorry.

4 Is an oral admonishment really that big of a
5 deal?

6 A. It can be, yes, sir.

7 Q. Well, how many -- how many times have you
8 received an oral admonishment in your career as an
9 Atlanta police officer?

10 A. That, I don't know. But I can guarantee you
11 it's not for the same thing.

12 Q. Sure. I'm just asking generally.

13 A. That, I don't know, sir. I couldn't even
14 give you a ballpark. I apologize.

15 Q. Would it be -- is that because there are too
16 many oral admonishments to remember?

17 A. No. It's probably only a couple. I just --
18 I just couldn't give you a -- an accurate number.

19 Q. Okay. Do you see where underneath that rule
20 it says Rule 4.2.37?

21 A. I do.

22 Q. And that's the rule for failing to transport
23 someone to the hospital by ambulance. And for that,
24 it looks like you got a "WR."

25 Do you see that?

1 **A. Yeah, I see that.**

2 Q. And "WR," my understanding, is a -- is a
3 written reprimand. Is that your understanding?

4 **A. Yes, sir.**

5 Q. And is a written reprimand sort of on the --
6 on the scale of police punishment, is that just sort
7 of like a little more serious than an oral
8 admonishment?

9 **A. It's more serious, yes, sir.**

10 Q. For a written reprimand, do they essentially
11 just give you a letter that says, you know, "Don't do
12 that again"?

13 **A. No, sir. It sits in a -- it sits in your**
14 **file, and you have a reckoning period or probation**
15 **period that, with a same violation in that category**
16 **or -- category of violation in that SOP, your**
17 **punishment is a lot harsher.**

18 Q. Do you -- are you given --

19 **A. It's not like you're just going to be**
20 **written up again.**

21 Q. So are you given -- when you receive a
22 written reprimand, do you receive a -- personally
23 receive a copy of it?

24 **A. Yes, sir.**

25 Q. Are you a -- are you writing something right

1 now, sir?

2 A. I'm just writing the rules in the -- like I
3 said, this is new to me. So I'm just writing that.

4 Q. I see. I see.

5 A. Would you like to see it? It's
6 scribble-scrabble.

7 Q. Not at this time. Thank you.

8 So I guess for the time that --

9 A. I tell you what --

10 Q. Yes. Do you need to take a break?

11 A. No. No, I don't need to take a break. I
12 was done. I was just writing the one, two, three,
13 four categories there.

14 Q. I see.

15 A. Five.

16 Q. So my question -- the rule that we just
17 looked at for the failing -- for the failing to
18 transport Mr. Griffin by ambulance -- that was the
19 second one, and you are given a written reprimand for
20 it. So my question is so APD shoves a man with a
21 broken ankle into the back of a wagon, and all they do
22 is write you a letter?

23 MS. MILLER: Objection.

24 BY MR. KAHN:

25 Q. Is that -- is that right?

Griffin vs. City of Atlanta

Donald Vickers

1 MS. MILLER: You can --

2 **A. Sorry.**

3 MS. MILLER: You can answer if you know.

4 **A. All I heard was a little bit of static and**
5 **then "Objection." The connection was lost.**

6 BY MR. KAHN:

7 Q. Sure. I'll repeat it.

8 So APD shoves a man with a broken ankle into
9 the back of a wagon, and all they do is write you a
10 letter. Is that right?

11 MS. MILLER: Objection.

12 **A. That's not right.**

13 BY MR. KAHN:

14 Q. That's not right? Well, what does this
15 mean, then?

16 **A. Nobody was shoved.**

17 Q. And then so here we have -- we have
18 Rule 4.2.33, and that was for failing to activate the
19 body camera. Right?

20 **A. That's correct.**

21 Q. And for that, it looks like there was a
22 recommended suspension of three days.

23 Do you see that?

24 **A. That's correct. I do see that.**

25 Q. How many -- how many days were you actually

1 given for that suspension?

2 **A. Three days.**

3 Q. They didn't reduce it down to two days?

4 **A. No, sir.**

5 Q. Would you say that of the -- of the things
6 that you were found -- of the sustained findings, that
7 the failure to activate the body camera is the most
8 serious offense?

9 **A. Out of all these -- I'm sorry. Just to be**
10 **clear, can you repeat that?**

11 Q. Yeah. Yeah. So of the -- of the rule
12 violations for which you were sustained, would it be
13 fair to say that the failure to activate the body
14 camera is the most serious?

15 **A. It's the most severe punishment.**

16 Q. And would you agree that the reason that
17 that punishment is the most severe is because body
18 camera is really important to a case like this?

19 **A. Yes, sir. I think that's fair to agree to.**

20 Q. And body camera footage is generally more
21 reliable than a police officer's testimony, isn't it?

22 **A. No, sir.**

23 Q. You don't think that body camera that's
24 video footage showing an actual event is more reliable
25 than someone's verbal testimony?

1 **A. I think they both have their pros and cons.**

2 Q. And do you see where it says Rule 4.1.1?

3 **A. I do, sir.**

4 Q. And that -- that was for your verbal abuse
5 of Mr. Griffin, wasn't it?

6 **A. I'm assuming so. I -- like I said, I don't**
7 **know.**

8 Q. And for your verbal abuse of Mr. Griffin,
9 you were given an oral admonishment. Right?

10 **A. It appears that.**

11 Q. And then in this -- in this worksheet
12 there's no punishment for the force that you used on
13 Mr. Griffin. Right?

14 **A. That's correct.**

15 Q. So would you agree, then, that what that
16 means is that an Atlanta police officer can do what
17 you did to Mr. Griffin and get away with it so long as
18 they activate their body camera, they tell their
19 supervisor, and call an ambulance?

20 **A. As long as they're on the call, yes, sir.**

21 Q. Do you think that you were appropriately
22 punished for everything you did to Mr. Griffin?

23 **A. Not -- this is -- like I said, this is the**
24 **first time I've looked at all this. I'd like to read**
25 **it over before I give a complete answer on that.**

1 Q. Okay. That's fair.

2 How many times have you been investigated by
3 OPS?

4 A. A few times. I can't count the number. I
5 mean, I can't give you exact number right now. A
6 ballpark figure? I want to say somewhere around three
7 to five maybe.

8 Q. And of those -- of those OPS investigations,
9 how many of them were for the use of force?

10 A. That, I don't know.

11 Q. Was it -- it was more than one, though.
12 Right?

13 A. That's correct.

14 Q. Let's talk about Ricky Usher. Do you -- do
15 you recall an OPS investigation into one of your
16 interactions with a man named Ricky Usher?

17 A. I do.

18 Q. What happened with Mr. Usher?

19 A. You want the whole incident?

20 Q. You can give me an abbreviated version, just
21 beginning with the -- his allegations of excessive
22 force. Or whatever you -- whatever you want to --

23 A. The complaint came -- that was my second
24 time dealing with Ricky Usher on the same violation.
25 It was a City charge at the time. I don't remember

1 exactly what the charge was. But he pretty much told
2 me he wasn't going to go to jail. I end up having to
3 use my OC spray on him.

4 To give you an idea how big Ricky Usher is,
5 he's a -- he's a lot taller than I am and outweighs me
6 by 100 pounds.

7 While I was trying to get him detained, I
8 sprayed him. He had a female friend -- I want to say
9 it was his girlfriend -- came from behind me and
10 pushed me at the same time. She tried again, but I
11 sprayed in her direction. And she stayed away from
12 the spray, and that kept her away from me in time to
13 take Mr. Usher to the ground.

14 While Mr. Usher was in handcuffs and I was
15 trying to get him to a car, he was able to use his
16 back to throw me up against the back and top of a
17 police car. As I came down on the ground, I grabbed
18 his feet. And when his feet went out from under him,
19 he hit the ground. And I was able to struggle to get
20 him into the back of a patrol car.

21 And he was transported to -- I think he went
22 to -- straight to jail. I don't think he had any
23 injuries. I think he went straight to jail. I can't
24 remember that part.

25 We went to court on it. Took the judge

1 about anywhere from 10 to 20 minutes to say that he
2 was tired of hearing Ricky and his girlfriend's lies.
3 The judge straight up said, "I hear that enough." And
4 he charged them both with guilty and even fined the
5 female, who I did not charge. It took OPS quite a
6 while to close out the case.

7 And fast-forward some years later; I meet
8 Ricky Usher outside a -- well, he's outside a, you
9 know -- outside a -- I was working at a shelter, a
10 warming shelter for the City. Ricky Usher just
11 happened to be working for the City too.

12 He came up to me and told me that he's
13 working for the City now and he's not what he used to
14 be. Whether that was true or not, I don't know. But
15 that's the story.

16 Q. All right.

17 A. And I was given not sustained on that.

18 Q. Did you use your foot to push Mr. Usher into
19 the vehicle after he was already handcuffed?

20 A. That was one of the things that -- his
21 complaints were -- that I used my foot. I think he --
22 I believe he accused me of kicking him in the head.
23 That was a pretty big struggle. And I didn't want the
24 fact that my foot may have touched his head -- even
25 though it may not have been a kick, I didn't want

1 people to perceive it as a kick. So for there, I
2 couldn't recall.

3 Did I use my foot to shove Ricky in the back
4 of a patrol car? If that's what it took, I don't
5 know.

6 Q. All right. Can you see Plaintiff's
7 Exhibit 53 on your screen?

8 A. Yes, I can.

9 Q. Have you ever seen this document before?

10 A. That, I don't know. Is this from Ricky?

11 Q. Yes.

12 A. No, I have not seen this document. I was
13 informed by the chief at the time -- the deputy
14 chief -- that it was going to be not sustained.

15 Q. Do you see where it says that you were
16 sustained for use of unnecessary force?

17 A. I see it now.

18 Q. I take it you disagree with that finding.

19 A. 100 percent.

20 Q. All right. Can you -- can you see
21 Plaintiff's Exhibit 54 on your screen?

22 A. Yes, sir, I can.

23 Q. So these are -- these -- or this at least
24 includes the witness statements from the
25 investigation. I want to ask you about a few things

1 in here. Go to the second page.

2 All right. Do you see -- let me -- do you
3 see that highlighted text that says "Ms. Williams said
4 Officer Vickers told Mr. Usher, 'Hey, motherfucker,
5 come here. I'm talking to you.' Ms. Williams said
6 Officer Vickers repeated this statement twice and then
7 grabbed Mr. Usher from behind and started choking
8 him."

9 Did I read that correctly?

10 **A. I see the statement. Yes, sir.**

11 Q. Did you, in fact, say, "Hey, motherfucker,
12 come here," to Mr. Usher?

13 **A. That, I can't recall. I can tell you**
14 **that -- that, I can't recall.**

15 Q. Let me -- well, let me ask you this: Is
16 that an appropriate way for a police officer to speak
17 to a citizen?

18 **A. If you are a criminal and "sir" and "ma'am"**
19 **was not working, but then all of a sudden I used those**
20 **words and it works, I think it's appropriate.**

21 Q. All right. Do you see the highlighted text
22 that says "Mr. Usher said, without any warning, even
23 though he did state that Officer Vickers told him to
24 stop, Officer Vickers came up behind him and tried to
25 put him in a chokehold. However, he was able to shake

1 Officer Vickers off of him"?

2 **A. Yes, sir, I see that.**

3 Q. Is that -- is that a true statement?

4 **A. No, sir. And it doesn't make sense.**

5 Q. All right. Do you see where it says that
6 you said, "Get up you fat, black piece of shit and get
7 in the car"?

8 **A. Yes, sir, I see that.**

9 Q. Did you, in fact, say those words?

10 **A. Absolutely not.**

11 Q. Why do you think Mr. Usher said that you
12 said that?

13 **A. Because at that time, I guess, he was a**
14 **no-good person. And the reason I can recall it is**
15 **because I remember that was one of the allegations**
16 **that he had against me with the internal affairs. And**
17 **I remember he went to court with that same allegation.**
18 **And that's -- it stuck with me for a while.**

19 Q. Do you see where it says "Officer Vickers
20 kicked him approximately four or five times on both
21 his right and left side and then the left side of his
22 chest and back, causing soreness in his ribs"?

23 **A. Yes, sir, I see that.**

24 Q. Is that true?

25 **A. That's absolutely false. If, in fact, my**

1 **foot ever made contact with Ricky, it was never more**
2 **than once.**

3 Q. Sir, can you see Plaintiff's Exhibit 52 on
4 your screen?

5 **A. Yes, sir, I can.**

6 Q. Have you ever seen Plaintiff's Exhibit 52?

7 **A. I don't believe so. Is this still regarding**
8 **Ricky Usher?**

9 Q. It is.

10 **A. I can see the -- no, sir, I don't recall**
11 **ever seeing this.**

12 Q. It -- does it appear that Plaintiff's 50- --
13 Plaintiff's Exhibit 52 is a document recommending that
14 you be suspended for five days for your use of
15 excessive force?

16 **A. Yes, sir. It says that.**

17 Q. And were you, in fact, suspended after the
18 investigation into Mr. Usher's complaints?

19 **A. No, sir, I was not.**

20 Q. So you were not suspended for any period of
21 time after Mr. Usher complained that you used
22 excessive force against him?

23 **A. No, sir, I was not suspended.**

24 Q. Okay. Have you ever seen Plaintiff's
25 Exhibit 58 before? And this is an internal memo

Griffin vs. City of Atlanta

Donald Vickers

1 requesting that the final disposition be changed from
2 sustained to not sustained regarding Ricky Usher.

3 **A. Okay. I don't recall this letter, but the**
4 **sustained to not sustained sounds more familiar to me.**

5 Q. Is it normal for a deputy chief or any other
6 employee of the City of Atlanta to change the final
7 disposition after an OPS investigation?

8 MS. MILLER: Objection.

9 But you can answer if you know.

10 **A. That, I don't know, sir. I really don't.**

11 BY MR. KAHN:

12 Q. Have you ever heard of something like that
13 before?

14 **A. I mean, what comes from OPS is -- my**
15 **understanding, that's a proposed action. It's up to**
16 **the chief to actually hand it out or not.**

17 Q. Do you have any idea why the deputy chief
18 changed your disposition from sustained to not
19 sustained?

20 **A. I guess through further investigation it was**
21 **determined that I didn't do it, that the allegations**
22 **were false.**

23 Q. Do you know that, or are you -- or are you
24 guessing?

25 **A. Well, I met with the deputy chief, and we**

1 **discussed it, and that's what he said. So . . .**

2 Q. So you're friendly with Deputy Chief Finley?

3 MS. MILLER: Objection.

4 **A. No, I'm not.**

5 MS. MILLER: But you can answer.

6 **A. I worked underneath him. I worked**
7 **underneath him, sir.**

8 BY MR. KAHN:

9 Q. Have you ever, you know, grabbed a beer with
10 Deputy Chief Finley?

11 **A. I've never seen him out- -- if I saw him**
12 **outside of work, it's because I live in the same zone**
13 **that I work. But we never went out and hung out**
14 **together, no, sir.**

15 Q. Did you ever thank him for changing the
16 disposition from sustained to not sustained?

17 **A. In a roundabout way I did say thank you;**
18 **however, I was actually hoping for exonerated.**

19 Q. What was this -- you said you spoke to
20 Deputy Chief Finley about the investigation. What was
21 that -- tell me about that conversation.

22 **A. Well, OPS did -- they handled, I guess, the**
23 **complaint, and then they forwarded it up to the chief.**
24 **And I had to go meet with the chief to -- because they**
25 **were issuing out five days, and only the chief can do**

1 **that.**

2 And there was a statement that was made that
3 it must be my statement, but luckily I had the
4 original statement from the beginning. It was not the
5 correct statement. I don't know what the means was
6 behind it or whatever, but I gave my original
7 statement. He knew my actions, and he determined his
8 findings.

9 Q. Do you recall -- and we've been going for a
10 while now. Are you -- are you okay to keep going?

11 MR. KAHN: Does anyone need a restroom break
12 or anything?

13 MS. MILLER: I'm fine to keep going if
14 SPO Vickers is.

15 MR. KAHN: You're good to go? All right.
16 Well, let's --

17 THE WITNESS: Keep going.

18 MR. KAHN: -- keep going. All rightee.

19 BY MR. KAHN:

20 Q. Sir, do you recall an incident in which you
21 aimed an assault rifle at several young men at the
22 Underground Atlanta?

23 A. I remember pulling out an assault rifle in
24 Underground Atlanta. I never aimed it at anybody.

25 Q. What happened there?

1 A. I was out of work due to an injury, a
2 shattered elbow, due to work-related causes. My
3 girlfriend at the time, who is now my wife, was
4 working at the Underground. Like I said, I worked and
5 lived in the same zone. Underground was real close to
6 it. So instead of her paying for parking, I told her
7 I'd pick her up after work.

8 Well, I fell asleep. Didn't hear the phone
9 go off. Woke up late. Rushed out the door. Grabbed
10 my keys, my badge, and put them in the jeans I was
11 wearing, and I ran out the door to go get her. It's
12 only a few blocks away.

13 As I was going to Underground Atlanta,
14 there's a turnaround -- a turnabout. I was witnessing
15 four security guards, unarmed, pushing and shoving
16 three other guys. After they shoved the guys and
17 pushed the guys off the property -- or at least out of
18 the -- the hangout area where everybody was, you know,
19 partying and drinking and stuff, the three guys
20 started making threats.

21 And one security guard, who was unarmed,
22 told the guys, "Hey, go get your guns," or whatever.
23 You know, "I'll be right here."

24 Well, two of the guys stayed. They're
25 telling the other guy, "Go get the guns." One guy

1 acts like he's leaving. I reached down for my phone;
2 realized I didn't have my phone.

3 The security guards can see me, the way I'm
4 positioned, but the three guys cannot. I put my badge
5 up at the window or put it around my neck so they can
6 see through the window. I tapped it. They give me a
7 nod. I get out. I go to my trunk. I grab my rifle
8 with one hand, turn the light on so it lights the
9 rifle up so that they can see it, and told the guys,
10 "Hey" -- once I got the three guys' attention, I told
11 them, "Look, I don't want anything. Just leave.
12 Don't come back. Just leave. Just leave."

13 They took off. I walked to the security
14 guards. I asked them if they could -- I made sure
15 they were all right. And I said, "Hey, can you just
16 walk me to the bar that my girlfriend works at."
17 Because I know how it looked. You know, you can't see
18 the badge. All you see is a white T-shirt and jeans.
19 And they were like, "Sure."

20 So one of them walked with me. When I got
21 down there, there was nobody at the front. So I had
22 to leave. Go back home. I grabbed my phone, and
23 that's when I made the phone call to my girlfriend.
24 And she had already started walking. I went to pick
25 her up.

1 And at that time I was friendly with the
2 cops around. They knew my car and stuff. And they
3 didn't realize it was me. I got pulled over. We all
4 talked about it. And then one brand-new lieutenant
5 decided to take it further, and he tried to put
6 charges on me.

7 Q. Were you arrested?

8 A. Those charges never made it to court.

9 He tried to arrest me. He -- it's -- what
10 he did was completely wrong. To put a reckless
11 conduct charge on somebody, you have to arrest them.
12 You have to make a physical arrest. I'm a reckless
13 conduct person; you got to lock me up. You got to
14 take me to jail.

15 Well, after spending all night letting them
16 draw my blood and giving a urine test to make sure I
17 wasn't drinking and everything, they didn't even get a
18 statement from me. He finally decided that he was
19 going to put charges on me. So he wrote a ticket. He
20 said, "Don't worry. I'm not taking you to jail." And
21 I told him, "You have to."

22 Well, that ticket -- long story short,
23 another officer knew that it was -- it wasn't going to
24 work either. So he forced an officer to take the
25 ticket to jail. Here it is, I'm thinking I'm going to

1 have to see myself in court to plead on this case.
2 And the courts never accepted it. The jail never
3 accepted the ticket or anything. I paid for a lawyer
4 I didn't need. I never saw the inside of a jail. I
5 never saw the inside of a courtroom.

6 And then it was later determined that the
7 only thing that they could get me on was the fact
8 that, because I put the badge around my neck, it
9 identified myself as a police officer, and at that
10 time I was not rightfully certified; so I broke a
11 policy. And they gave me -- I don't remember what the
12 punishment was for that.

13 Q. All right. Well, thank you.

14 At any point did you -- did you chamber a
15 round into the rifle?

16 A. No, sir, I did not chamber a round. That
17 was brought up several times. The AR-15 has a
18 charging handle that you use to chamber a round. When
19 I pulled the rifle and I pointed it up to the sky, the
20 charging handle fell down. It came unstacked, and I
21 popped it back up in place.

22 I guess somebody thought I chambered a
23 round. Even still, no crime committed. But it didn't
24 happen.

25 Q. Did you verbally identify yourself as a

Griffin vs. City of Atlanta

Donald Vickers

1 police officer to anyone?

2 A. No. The security guards knew me. They knew
3 my girlfriend. I didn't know they knew me. When I
4 put the badge around and I tapped it so that they
5 could see it and -- you know, show that, hey, I'm a
6 friendly. I'm a police. They saw the badge; they
7 knew who I was. And I later found out one of them did
8 actually know me.

9 Q. But after this ordeal, did you then walk
10 through Underground Atlanta with a assault rifle in
11 your hand?

12 A. There is a passage that you use to get to
13 the bar. I walked through that passage. This is when
14 most of the bars are closed. There's only a few
15 people out.

16 I tried not to make a big scene. But once I
17 got to the window where the bar is -- the bar front --
18 I could see that there was nobody in the front, and I
19 didn't want to bang on the glass to cause more
20 disturbance. That's when I turned around and said,
21 "Hey, I'll just go back and get my phone." And that's
22 what I did.

23 Q. Officer Vickers, can you see Plaintiff's
24 Exhibit 56 on your screen?

25 A. I can.

Griffin vs. City of Atlanta

Donald Vickers

1 Q. And this -- Plaintiff's Exhibit 56 shows
2 that you were suspended for three days as a result of
3 the Underground Atlanta incident. Is that right?

4 A. I don't think I was suspended three days.

5 Q. How long were you suspended?

6 A. I can't recall, but I don't think I -- I
7 don't think I got suspended three days.

8 Q. Other than --

9 A. The "Conduct" was dropped.

10 Q. I see. Other than Tyler Griffin and Ricky
11 Usher, have there been any other complaints against
12 you for the use of excess -- excessive force?

13 A. One that I recall, and I don't know the
14 guy's name. He did not complain on me. A third-party
15 person did. And that's going to the civilian review
16 board right now. No investigation was done ON that
17 case.

18 MR. KAHN: Okay. All right. Let's take a
19 quick break and reconvene at 2:10.

20 MS. MILLER: Okay.

21 MR. KAHN: All right. I thank you-all.

22 (OFF THE RECORD 2:04-2:13 P.M.)

23 BY MR. KAHN:

24 Q. Can you see Plaintiff's Exhibit 52 on your
25 screen?

1 **A. Yes, sir, I can.**

2 Q. Okay. Great. I just want to -- we can
3 probably make this pretty quick. I just want to know
4 basically what you remember about each of these, these
5 incidents. So I guess I -- we'll just go through them
6 one at a time. Can -- let me pull it up so it's --
7 you can see it better.

8 What -- do you see the first citizen's --
9 citizen complaint that is listed on the disciplinary
10 history?

11 **A. Yes, sir, I do.**

12 Q. What was -- what was that about?

13 **A. I see the date, but I could not tell you**
14 **what complaint that is. I don't -- I have no idea.**

15 Q. Do you see the -- you see the second
16 complaint, the internal complaint?

17 **A. Yeah, I see the internal complaint.**

18 Q. It looks like there was -- that was just
19 regarding absence, like, an absence from duty,
20 meaning, like, you missed a day of work or something?

21 **A. Yes, sir. With just the dates, I don't**
22 **know. It's hard for me to remember last week. I'm**
23 **sorry. I -- with just the dates alone, it's going to**
24 **be hard for me to explain any of this.**

25 Q. Okay. That's fair.

Griffin vs. City of Atlanta

Donald Vickers

1 You know what? We'll just -- we'll skip --
2 we'll skip this part.

3 Does the name -- the names Tyler and Ashley
4 Toomer mean anything to you?

5 **A. Tyler and Ashley?**

6 Q. Toomer, T-o-o-m-e-r.

7 **A. I don't know why -- I kind of recognize the**
8 **name, but I don't know why.**

9 Q. Okay. So I'm going to pull up Plaintiff's
10 Exhibit 57. Can you see that on your screen?

11 **A. Yes, sir, I see 57.**

12 Q. All right. So if you'll see at the bottom,
13 Plaintiff's Exhibit 57 is an e-mail from the Atlanta
14 Citizens Review Board investigating an allegation of
15 misconduct.

16 Do you see that highlighted text?

17 **A. Yes, sir, I do.**

18 Q. Can you tell me what is this -- what's this
19 incident on August 6th, 2016?

20 **A. Okay. This one I recall. I believe I --**
21 **this is one I've been waiting on for a while now. I**
22 **believe it's Tyler -- I'm not sure -- was a male**
23 **suspect at the time. He was at a gas station. He**
24 **tore the gas station apart. Tore the parking lot a**
25 **lot. He dumped all the trash that was in the parking**

1 lot out of the trash cans and everything, because the
2 store clerk wouldn't give him some money or let him in
3 the store.

4 He then busted out the store clerk's window.
5 And in the process, he cut his arm somewhere. I can't
6 remember where, but he cut his arm. Nothing severe,
7 but it was bleeding.

8 I arrived. He was still on scene. Didn't
9 understand exactly what was going on. I detained him.
10 The store clerk came out to me and said, "Look, man,
11 you got to help me out, but I don't want to
12 prosecute."

13 I'm, like, "Well, I can't just charge him if
14 you're not going to prosecute." And I was, like,
15 "Well, I got to run him anyway to see who I'm dealing
16 with."

17 Just so happened when I ran him, he came
18 back with a warrant. I said, "Look, you don't want to
19 prosecute him. I'll just take him in on the warrant."
20 I don't remember what the warrant was for.

21 But because he was bleeding -- it -- like I
22 said, it wasn't -- it wasn't nothing big. He didn't
23 want to go to the hospital. I was like -- but I knew
24 the jails weren't going to take him with him bleeding
25 a little bit. So I took him to Grady.

1 While at Grady, he started acting out.
2 Got -- using lot of profanity towards the nurses. Got
3 a thing against womens -- womens -- females. He kept
4 claiming he was some kind of big old original gangster
5 rapper, whatever. And he was just making a big old
6 scene to the point where the nurse that's supposed to
7 check him in and get his vitals and stuff -- she's,
8 like, "I can't even deal with him. Just take him
9 straight to the back."

10 So I took him to the back to the -- to the
11 corrections area where they detain all the people at
12 Grady. While back there, he encountered some more
13 females. And I was holding his arm because he was
14 intoxicated. I was holding his arm, walking him. Per
15 policy, I had my hands on the suspect, you know.

16 Well, he pushed his shoulder away from me
17 and then pulled it back into me, knocking my body
18 camera off, shoving me a little bit. He was a little
19 guy. It didn't do much damage to me. But it knocked
20 my camera on the ground. I realized, you know, he's
21 going to continue to mess up.

22 They pointed to the door I needed to take
23 him to. The door's one of those push doors that's got
24 the bar in the middle and you push it, and it's
25 supposed to open up. Well, I didn't know that it was

1 locked. So, you know, I grab him up, and we're
2 marching to the door. And we both hit the door, but
3 because he's so light and drunk, he falls on the
4 ground.

5 He's not hurt. But he starts apologizing.
6 "I'm sorry. I'm sorry."

7 And I told him, "Hey, all right. No
8 worries. I got you at the hospital. You're hurt."

9 He goes, "No. I'm sorry. I'm sorry."

10 I told him, "Fresh start." I said, "Let me
11 get you up." I got him up. We put him back there so
12 they -- he could get treatment for his little cut and
13 sober up.

14 While I was back there, couple corrections
15 officers came to me and said, "Look, make sure you do
16 a report. We got a lady down at the end -- she hates
17 law enforcement. She's complained on everybody here.
18 She's going to make a complaint."

19 I said, "No worries. Thank you."

20 Grady has cameras. All of that was on
21 video.

22 I poked my head out the door, and sure
23 enough I looked at the lady, and it appeared to me she
24 was burning a hole through me. So I made sure to go
25 do a report, let a supervisor know and everything.

1 I had a doctor on the scene who was shaking
2 his head "yes" at me, like, no problem. He says he's
3 not hurt, you know.

4 Few days later that lady did complain.
5 Well, I don't know when she complained, but it came
6 back to me a few days later. Went to internal
7 affairs. And I said, "Okay. Well, go pull the
8 cameras up. Go speak to all the witnesses."

9 She claimed that I knocked the guy out.
10 That I rammed him into the door, knocking him
11 unconscious. And that was it.

12 Q. Sure.

13 A. So there's no doctor that revived him.

14 Q. Officer Vickers, I think -- I think there
15 may -- we may be confusing two different events. But
16 this is the -- the one that you just described -- so
17 I'm going to pull up -- if you'll give me just a
18 minute here.

19 Can you see Plaintiff's Exhibit A on your
20 screen?

21 A. I can.

22 Q. So this is a -- and we'll go through some of
23 this stuff. This is about 60 pages of documents that
24 the City produced to us last night, you know, a few
25 hours before your deposition. And so -- and this --

1 all these documents relate to Willie Thurmond, who I
2 believe is the individual that you have been talking
3 about.

4 **A. Okay. Yeah. That's who I was talking**
5 **about.**

6 Q. Yeah.

7 **A. I apologize.**

8 Q. So we'll go -- I've got some follow-up
9 questions on that, and we'll go through those, and
10 then we'll go back to the other one since you already
11 started talking about it.

12 So, obviously, you recall the incident. You
13 told me what happened. When Mr. Thurmond ran into the
14 door or was pushed into the door, however you want to
15 call it, was he handcuffed?

16 **A. Yes, sir.**

17 Q. All right. I want to -- I'm going to flip
18 to page 8 in this document. So we're looking at
19 page 8 of these -- of Plaintiff's Exhibit A, which
20 appears to be a notice of final adverse action
21 suggesting a two-day suspension. Is that -- do you
22 agree with that?

23 **A. I disagree. That's -- I'm fighting that.**

24 Q. I'm sorry. Is this -- is that what this
25 document appears to be?

1 **A. Yeah. Yes. That's the document, yes, sir.**

2 Q. And so as I understand it, you have not, in
3 fact, been suspended for this alleged violation.

4 **A. No. I was suspended. The chief at the time**
5 **over our unit -- even though there was no**
6 **investigation done. By the time they did an**
7 **investigation, the camera feed had been -- they waited**
8 **way past 14 days to go do any kind of pick up of the**
9 **surveillance. They didn't talk to any witnesses.**
10 **They didn't get statements from anybody. They said**
11 **just go ahead and give me the two days and let me**
12 **fight it in the civilian reviewer -- review --**

13 Q. Okay.

14 **A. -- board. So that's --**

15 Q. So you were --

16 **A. -- what that is.**

17 Q. So you were -- you were found to have used
18 excessive force and suspended for that. Is that
19 right?

20 **A. Yes, sir.**

21 Q. And then you're just -- and you're --

22 **A. Yes, sir.**

23 Q. -- in the process of fighting it on the back
24 end. Is that correct? That's correct?

25 **A. That's correct.**

Griffin vs. City of Atlanta

Donald Vickers

1 Q. Look at -- look at page 14. So here's a --
2 this is another -- what appears to be another final
3 adverse action related to the same incident, but it
4 says not sustained. Have you ever seen this?

5 **A. I don't think so, sir.**

6 Q. So you don't have any idea which of the ones
7 that we just looked at is the actual final -- final
8 notice?

9 **A. And what I'm think- -- what I'm thinking is**
10 **internal affairs, OPS -- they send it up as not**
11 **sustained, but when it hit the chief's desk, he**
12 **changed it.**

13 Q. I see. All right, I'm going to flip to
14 page 19 here. Do you see the -- do you see the
15 highlighted text on this document, which is Bates
16 label 001059, that says "After reviewing the
17 above-mentioned OPS investigative file involving
18 Officer Vickers, I do not agree with the sustaining of
19 Work Rule 4.2.33"?

20 **A. Yes, sir.**

21 Q. So again -- I want to ask this again. I
22 asked you earlier. Is it -- would you say it's
23 normal -- it's a normal occurrence for a
24 higher-ranking officer to recommend that an OPS
25 finding be changed from sustained to not sustained or

Griffin vs. City of Atlanta

Donald Vickers

1 exonerated?

2 MS. MILLER: Objection.

3 But you can answer if you know.

4 **A. Like I said, it's -- to the best of my**
5 **knowledge, it's up to OPS to do their part of the**
6 **investigation, and it gets forwarded up to their chain**
7 **of command. Their chain of command is supposed to**
8 **look it over and agree or disagree with it and have**
9 **their ruling.**

10 BY MR. KAHN:

11 Q. I see.

12 **A. Like, in this chain of command, the major**
13 **disagreed with OPS.**

14 Q. So OPS serves as an independent body to
15 investigate police misconduct. Right?

16 **A. I'm sorry. Could you say that again?**

17 Q. Sure. Would you -- would you agree that OPS
18 serves as an independent body to investigate police
19 misconduct, among other things?

20 **A. Yes, sir, I do.**

21 Q. So why is it okay for someone who works
22 directly with an officer to change a finding of an
23 independent OPS investigation?

24 MS. MILLER: Objection.

25 But you can answer if you know.

1 A. So I can't really answer your question,
2 because these are all higher-ups. That's my major.
3 He has a office of his own. The people that work
4 directly underneath him are the captains, the
5 lieutenants, and the sergeants. I'm right at the
6 bottom of the totem pole.

7 This was a --

8 BY MR. KAHN:

9 Q. I see.

10 A. -- letter that it looks like he sent. After
11 OPS said not sustained, the chief came back and said,
12 "No. Go ahead and sustain it." And the major, after
13 looking at it, who has a lot of investigative
14 experience, wrote a letter back.

15 Q. Okay.

16 A. Obviously, they didn't agree with the chief.
17 So . . .

18 Q. Would you agree that the practice of
19 allowing City of Atlanta employees outside of OPS to
20 change the final disposition of an investigation
21 leaves room for police officers to sort of look out
22 for their own?

23 A. No, sir. These are -- these -- this chain
24 of command -- they're all appointed. They're all
25 appointed positions. OPS -- they have their chain of

1 **command as well, and then it goes up.**

2 Q. But this is -- this --

3 **A. So --**

4 Q. -- isn't the first time that we've seen a
5 document with a higher-up recommending that one of
6 your excessive force violations be changed to not
7 sustained, is it?

8 MS. MILLER: Objection. I don't think that
9 this was an excessive force violation, and it even
10 said so in the document.

11 MR. KAHN: Okay. I -- your objection is
12 noted.

13 BY MR. KAHN:

14 Q. Officer Vickers, if you'd like to answer the
15 question, you're free to do so.

16 **A. Can you ask the question again?**

17 Q. This isn't the first document that we've
18 seen recommending one of your violations involving
19 excessive force be changed from not sustained -- or
20 excuse me -- to be changed from sustained to not
21 sustained, is it?

22 MS. MILLER: Same objection.

23 But you can answer.

24 **A. Yeah. I mean, you can say that the chain of**
25 **command changes some of the rulings sometimes. Yeah.**

1 BY MR. KAHN:

2 Q. What's the point of OPS if the chain of
3 command can just overturn it after an investigation?

4 A. It's really for not for me to answer that.
5 But, to the best of my knowledge, it's no different
6 than you have an investigator and then they have their
7 chain of command. No investigator -- sorry. It said
8 "unstable." I don't know if you can hear me or not.

9 You have investigators, and they have their
10 chain of command. The investigators come up with it,
11 and their supervisors have to okay it. Hey, I agree
12 with the findings. I don't agree with the findings.
13 Hey, why didn't you do this. Why didn't you do that,
14 you know. So, I mean, that's the only way I can
15 answer your question.

16 Q. Okay. I'm going to flip to page 32. Can
17 you see the highlighted text of this e-mail? It says
18 "The officer was clearly mad about it and became
19 aggressive toward the patient, and that's when he went
20 full force into the locked door with the patient. And
21 as a result, the patient fell to the floor and" --
22 it's a spelling error -- but "loss consciousness for a
23 minute."

24 A. I can't --

25 MS. MILLER: The document wasn't on the

1 screen. I'm sorry.

2 **A. I can't see it.**

3 BY MR. KAHN:

4 Q. That is my fault. I'll redo the question.

5 So do you see, Officer Vickers, where it
6 says "The officer was clearly mad about it and became
7 aggressive toward the patient, and that's when he went
8 full force into the locked door with the patient. And
9 as a result, the patient fell to the floor and loss
10 consciousness for a minute"?

11 **A. Yeah, I see it.**

12 Q. Is that -- is any of that true?

13 **A. No, sir.**

14 Q. Do you know -- do you -- do you know
15 anything about the person who complained about this
16 incident?

17 **A. If it's who I think it is, she was at the
18 other end of a very, very big room, and that room was
19 full of people. All I know is, from the other
20 correction officers, they knew right away, because
21 they've had dealings with her before, that she was
22 going to be a problem for me.**

23 Q. Well, was she an employee of Grady?

24 **A. I'm only assuming by the way she was dressed
25 and the position that -- I mean where she was**

1 standing. I'm thinking she was some kind of social
2 worker, but I have no idea who she was.

3 Q. Okay. And what do you -- how was she
4 dressed?

5 A. I can't remember, but she wasn't, like, in a
6 nurse's outfit or anything like that. It was -- it
7 was more like civilian clothes, like, just normal, you
8 know business wear.

9 Q. I see. Well, why do you think she said that
10 the man lost consciousness if he didn't, in fact, lose
11 consciousness?

12 MS. MILLER: Objection.

13 But you can answer if you know.

14 A. I don't know why she said any of those lies
15 she said. And if I tried to guess, it would be
16 speculating, and I couldn't diagnose it.

17 BY MR. KAHN:

18 Q. Okay.

19 A. It was all false. And, you know, like I
20 said, he was unconscious and we're in a hospital and
21 nobody revived him. Where is the doctor that had to
22 revive him?

23 Q. All right. Go back to Plaintiff's
24 Exhibit 57. So that was -- the incident that we just
25 spoke about was Willie Thurmond. Do you have any idea

1 what this highlighted incident is referring to?

2 **A. I know the location, but, no, I don't know**
3 **the incident. I'm sorry.**

4 Q. Okay. Did -- have -- has there been any --
5 well, I guess strike that.

6 So we've spoken about Willie Thurmond, Tyler
7 Griffin, and Ricky Usher, which are three cases that
8 involve the use of force. Other than those three
9 cases, are there any other instances where you've been
10 accused of using too much force?

11 **A. Other than the ones we talked about, not**
12 **that I can recall.**

13 Q. Did any of the -- other than Mr. Griffin,
14 did any of the other people who accused you of using
15 too much force -- did any of those people file
16 lawsuits against you?

17 **A. Not that I'm aware of.**

18 Q. Has the City of Atlanta cautioned you at all
19 since Mr. Griffin's complaint against you?

20 MS. MILLER: Objection.

21 But you can -- you can -- I'm sorry.

22 The City of Atlanta? Who are you speaking
23 about?

24 MR. KAHN: I'm talking about the City of
25 Atlanta. I don't really know how I could be clearer

1 than that.

2 MS. MILLER: Are you talking about his
3 attorneys? Are you talking about APD? What -- I'm
4 not sure. So I'm -- I don't know if he can answer
5 that question or not.

6 MR. KAHN: Ms. Miller, I understand that you
7 may not understand it, but really you're not being
8 deposed right now. Officer Vickers is. And what
9 really matters is if he understands it. And so if he
10 understands it, he's free to answer that question. If
11 he does not understand it, as you have basically
12 instructed him, then I'm happy to reask it in a way
13 that he understands.

14 MS. MILLER: Well, I was asking because I
15 wanted to know if there -- if I had an objection or
16 not. If it's not about the City attorneys' office,
17 then that's fine. If it is, then I'm going to tell
18 him not to answer. So that was my clarification.

19 MR. KAHN: Of course I am not asking for
20 attorney-client privileged information.

21 MS. MILLER: Thank you.

22 MR. KAHN: So I'll ask the question again.

23 BY MR. KAHN:

24 Q. Officers Vickers, has the City of Atlanta
25 cautioned you at all since Mr. Griffin's complaint?

1 A. Other than, you know, the incident what's --
2 you know, what's coming out of it, I -- I'm not -- I'm
3 not sure I understand your question.

4 Q. Sure. Like, has the --

5 A. Cautioned me in what way?

6 Q. Has the City said -- and of course I'm
7 paraphrasing. Has the City said, like, "Vickers, if
8 this happens again, you will be fired"?

9 A. Like I said, this case -- I see you have it,
10 but for me, they haven't come to me with all the
11 findings yet. So, like I said, I don't think they're
12 done dealing with me yet. So whatever caution they're
13 going to bring, I think that's yet to come.

14 Q. I see. All right. We are -- we are nearly
15 done, and I appreciate your patience, sir.

16 Can you see Plaintiff's Exhibit 33 on your
17 screen?

18 A. I can.

19 Q. And does Plaintiff's Exhibit 33 appear to be
20 your performance evaluation for 2019?

21 A. Yes, sir.

22 Q. And you see the evaluation period? It says
23 July 1st, 2018, through June 30th, 2019. That would
24 necessarily include the date that you tackled
25 Mr. Griffin. Right?

Griffin vs. City of Atlanta

Donald Vickers

1 **A. Yes, sir.**

2 Q. And so any comments or criticisms or really
3 any, you know, commentary based on your conduct on
4 April 5th towards Mr. Griffin, to the extent it would
5 be noted at all, would be noted in this performance
6 evaluation. Correct?

7 **A. Yes, sir.**

8 Q. All right. We'll flip to page 2.

9 **A. Actually, that's not (audio transmission**
10 **failure).**

11 Q. I'm sorry. What --

12 **A. That's not fair, because they would -- it's**
13 **not correct because they -- the findings haven't come**
14 **out yet. This was all done in 2019. So if anything**
15 **was to come out of it, it -- they wouldn't be able to**
16 **judge Griffin's case off this evaluation. Does -- I**
17 **don't know if I'm being clear enough.**

18 **Even though the incident happened here, the**
19 **investigation wasn't complete.**

20 Q. Sure. Well, let me ask you this: Did
21 your -- the person reviewing this or rating -- the
22 rater it appears was Sergeant J. Davis. Who is -- who
23 is Sergeant J. Davis in relation to you?

24 **A. He's an old supervisor sergeant that I used**
25 **to have. He's gone to another unit now.**

1 Q. At the time that he completed this review on
2 6/30/19, was he aware of what happened with
3 Mr. Griffin?

4 MS. MILLER: Objection.

5 But you can answer if you know.

6 A. He became aware of it. Like I said, he
7 couldn't have -- he couldn't base the evaluation off
8 that incident completely, being that it was under
9 investigation. And also I don't know that he was the
10 sergeant at the time of the actual incident.

11 BY MR. KAHN:

12 Q. Okay. Can you see -- can you see Goal 1 on
13 your screen?

14 A. Yes, sir.

15 Q. And you see Goal 1 says C-A-R-E, "C.A.R.E.:
16 Represents the department in a courteous and
17 professional manner." Do you -- is that -- do you see
18 that?

19 A. Yes, sir.

20 Q. And under the goal there's a Comments
21 section. Do you see that area under the goal?

22 A. Yes, sir.

23 Q. Isn't it true that the person performing
24 this evaluation -- Sergeant Davis in this case -- can
25 put anything they want in that Comments section?

1 **A. Yes, sir.**

2 Q. For example --

3 **A. That's their comments.**

4 Q. Sure. Yeah. And, for example, if the
5 officer being evaluated was not courteous and not
6 professional, the reviewing employee could say that in
7 this Comments section. Right?

8 **A. Yes, sir.**

9 Q. And then in your case, it looks like
10 Sergeant Davis said "Works with a sense of urgency.
11 Treats everyone fairly and with respect."

12 Do you see that?

13 **A. Yes, sir.**

14 Q. And he gave you a 4 in that category. And
15 we'll scroll up, and 4 means "Highly effective.
16 Exceeds the expected performance standards on a
17 regular basis." Right?

18 **A. Yes, sir.**

19 Q. So if APD thought that you were not being
20 courteous and not being professional, they could have
21 said -- they could have said exactly that in this
22 Comments section.

23 MS. MILLER: Objection.

24 But you can answer.

25 **A. Yes, sir.**

1 BY MR. KAHN:

2 Q. And then do you see the next comments -- the
3 next goal is 4, and it says "Professionalism"?

4 A. Yes, sir, I see it.

5 Q. And do you see the highlighted comment
6 underneath it? It says "Displays concern and empathy
7 with -- when interacting with citizens."

8 A. Yes, sir.

9 Q. And do you think that that is a true
10 statement about you?

11 A. Yes, sir.

12 Q. And do you -- do you remember when you said
13 to Mr. Griffin, "We're laughing because you fell
14 pretty hard after pushing an officer, man. I find
15 that funny"?

16 A. Yes, sir, I remember it.

17 Q. That's not very courteous or professional,
18 would you say?

19 A. I mean, it might not be nice, but I don't
20 think it was out of line.

21 Q. Sure. But do you think it was -- would you
22 describe that statement that you made as being
23 courteous?

24 A. Is it supernice? No. He just pushed an
25 officer. I let him know he messed up. He made a

1 **mistake.**

2 Q. Do you think that your statements to
3 Mr. Griffin or about Mr. Griffin -- I guess they were
4 to. Do you think that your statements to Mr. Griffin
5 displayed empathy?

6 **A. Can you say it one more time? I want to**
7 **make sure I hear it correctly.**

8 Q. Sure. Sure. So do you think that the
9 statements that you made to Mr. Griffin -- those
10 statements being "We're laughing because you fell
11 pretty hard after pushing an officer, man. I find
12 that funny, man" -- that statement -- do you think
13 that that statement made to Mr. Griffin displayed
14 empathy?

15 **A. I think me telling Mr. Griffin "I want to**
16 **take care of you. I want to get you to the Grady as**
17 **soon as possible" -- me holding Mr. Griffin up with**
18 **another officer so that he's not putting all his**
19 **weight on his leg -- I think that's showing empathy.**

20 **Letting him know, you know, there are**
21 **certain things you can't do when it comes to law**
22 **enforcement. When a officer tells you to do something**
23 **and it's in the code of law, you need to do it. I**
24 **think I'm empathy.**

25 Q. Do you remember when you -- from the video

1 we watched earlier, when you told Mr. Griffin, "You're
2 such a little girl right now"?

3 **A. Yeah. Something to that effect, yes, sir.**

4 Q. Do you think -- do you think that that
5 statement displayed concern for Mr. Griffin?

6 **A. It's letting him know, hey, you know, it's**
7 **not that serious. It's not -- it's not, you know --**
8 **it's not that it's not going to be taken care of. I**
9 **assured him that I --**

10 Q. Do you think --

11 **A. -- knew that he was in pain and that I**
12 **didn't want him to further injure him.**

13 Q. Do you think that the -- that that statement
14 displays empathy for Mr. Griffin?

15 **A. Along with -- as a whole, with everything**
16 **else, I think that there was plenty empathy there.**

17 Q. That wasn't my question. I said do you
18 think that your statement -- that being "You're such a
19 little girl right now" -- do you think that that
20 statement displays empathy to Mr. Griffin?

21 **A. That standalone statement, no.**

22 Q. Do you think that you deserve this comment
23 in your performance review that says "Displays concern
24 and empathy when interacting with citizens"?

25 **A. Absolutely.**

1 Q. Would you ever testify against another
2 Atlanta police officer in an excessive force case?

3 A. If I saw excessive force, yes, I would make
4 sure something was done about it.

5 Q. But in your 15 years at the -- at the
6 department, you've never seen excessive force. Right?

7 A. No, sir.

8 Q. Would --

9 A. And if I have, I surely cannot recall.

10 Q. Would you ever report another police officer
11 if you saw him or her do something you thought was
12 wrong?

13 A. There's different levels to that on how far
14 I think things need to go. But, you know, I
15 definitely want to make sure it's taken care of
16 accordingly.

17 Q. Well, I guess would you agree that it's
18 generally frowned upon for a police officer to report
19 another police officer's misconduct?

20 A. I think I misheard you. Could you say that
21 again?

22 Q. Sure. Would you agree that it's generally
23 frowned upon for a police officer to report another
24 police officer's misconduct?

25 A. No. Not when the accusation is true and

Griffin vs. City of Atlanta

Donald Vickers

1 **correct, no.**

2 Q. Well, would you agree that police officers
3 who testify against other police officers are
4 ostracized?

5 **A. I don't agree with that.**

6 Q. Have you ever heard of a police officer who
7 testifies against another police officer or reports
8 another police officer referred to as a rat or a
9 snitch?

10 **A. I mean, I've heard the term "rat" or**
11 **"snitch," but I've never heard it towards any police**
12 **officer that I know.**

13 Q. Have you ever heard -- have you ever --

14 **A. And I don't know anybody that would call a**
15 **police officer a rat.**

16 Q. Have you ever heard anyone in the -- in the
17 City of Atlanta Police Department criticize another
18 police officer for reporting misconduct of another
19 police officer?

20 **A. No.**

21 Q. And, Mr. Vickers, you are under oath right
22 now. You've never heard -- in your 15 years as a
23 police officer, you've never heard another Atlanta
24 police officer criticize another Atlanta police
25 officer for reporting another police officer?

1 MS. MILLER: Objection. Asked and answered.

2 But you can answer again if -- you can
3 answer if you have something to add.

4 A. You're asking if I witnessed it in -- say it
5 one more time. I want to make sure you -- I hear --

6 BY MR. KAHN:

7 Q. Sure.

8 A. -- you correctly.

9 Q. And I could -- I can just sort of explain
10 what I'm asking instead of just repeating it -- the
11 question again. And I'm happy to repeat it again.
12 But I -- what I'm looking -- like, what I'm asking you
13 about is, like, in your -- in your career as an
14 officer, have you ever seen or been -- or participated
15 in a conversation with another Atlanta police officer,
16 or witnessed it, where, you know, somebody reported
17 someone or testified against someone or told on
18 someone or whatever and said something -- and someone
19 or you or anyone said something negative about that
20 person? Like, "Man, like, you know, screw John Smith.
21 He told on Tony." You know, something like that.

22 A. Okay. If you want to say negative -- if you
23 want to use the term "negative" instead of calling
24 them a snitch or a rat, yeah, I've heard -- I mean, I
25 can't give you an example. I can't think of a time,

1 but I'm sure I've heard an officer, "Man, so-and-so
2 went to -- went to, you know, internal affairs or
3 whatever for this or that." And it might be, you
4 know, to their eyes, something petty or whatever.
5 Yeah, I've heard that.

6 Q. Okay. So then I guess it --

7 A. But I can't think of it off the top --

8 Q. Go ahead.

9 A. -- of my head.

10 Q. I'm sorry. I didn't mean to cut you off.

11 It was just lagging a little bit.

12 A. That's all right. Off the top of my head, I
13 can't think of any.

14 Q. I gotcha.

15 A. Off the top of my head, I can't think of a
16 particular incident.

17 Q. Okay. That's fair.

18 So I guess, then, would it be fair to say,
19 then, that -- maybe I was just using the wrong words
20 before.

21 Would it be fair to say that there's sort of
22 like a culture within the City of Atlanta Police
23 Department that it's viewed negatively for another
24 police officer to sort of tell on another police
25 officer?

1 MS. MILLER: Objection.

2 But you can answer if you know.

3 A. I can only tell you what I know. And I
4 think, because I've been around so long and I'm so --
5 I'm pretty well known, that kind of stuff doesn't fly
6 with me. So another officer wouldn't put that in my
7 direction for me to catch it.

8 BY MR. KAHN:

9 Q. I see.

10 A. So -- yeah. I --

11 Q. But I guess have you -- have you heard of --

12 A. If somebody does something wrong, then --

13 Q. I see. Have you heard of that -- you've
14 heard of that sort of thing, though, just really
15 generally. Like, people complaining about other
16 people, like, reporting stuff.

17 A. Not officers. I mean, I can -- I mean --
18 and, like I said, there's different levels of thing.
19 I mean, you know, rumors. This place is like any
20 other big corporation. There's a lot of rumors.

21 I mean, I heard a story where one of the
22 trainers at the academy was talking to a class,
23 training a class, did like that to -- you know,
24 touched the shoulder of another recruit. The recruit
25 got real offended about it. But that's just a story

1 to me. I didn't witness it. I -- it's coming from
2 the fifth party. I don't -- you know, I can't put any
3 truth behind it.

4 Q. Sure.

5 A. It just doesn't happen in my element. Not
6 in my environment, not in my circle.

7 Q. In your -- well, in your experience with
8 APD, have you seen another police officer state on the
9 record that a fellow police officer used excessive
10 force?

11 A. You cut out on the first part. Can you say
12 it again?

13 Q. Oh, sure. In your experience with APD, have
14 you seen another police officer state on the record
15 that a fellow police officer used excessive force?

16 A. I'm sure I have, but I can't tell you when.
17 I can't think of a time. And, like I said, it was
18 nothing I witnessed.

19 Q. Okay. Have you heard of a department-wide
20 practice where officers refuse to bear witness against
21 a fellow officer who is alleged to have violated a
22 citizen's rights?

23 A. I'm sorry. One more time, please.

24 Q. You need me to repeat the question?

25 A. Please.

Griffin vs. City of Atlanta

Donald Vickers

1 Q. Okay. Sure. Have you heard of a
2 department-wide practice where officers refuse to bear
3 witness against a fellow officer who is alleged to
4 have violated a citizen's rights?

5 A. No, sir, not in this department for sure.

6 Q. Have you ever heard of the phrase "the
7 police code of silence"?

8 A. I've heard the phrase. I don't buy into it.

9 Q. What is it -- what does that mean to you?

10 A. It means I -- I can't say it exists.

11 Q. All right. All right. Just a few more
12 questions.

13 Can you see Plaintiff's Exhibit 502?

14 A. I do.

15 Q. And so Plaintiff's Exhibit 502 -- it's an
16 excerpt from the Use of Force Advisory Council -- some
17 document that they put out -- which is a city
18 organization. Do you see up at the top where it says
19 ". . . but there are lingering issues and
20 opportunities for improvement"?

21 A. Yes, sir, I see that.

22 Q. Would -- isn't that a nice way of saying
23 that there is a problem that needs to be fixed?

24 MS. MILLER: Objection.

25 But you can answer if you know.

1 **A. I don't know anything about this article. I**
2 **don't know anything about this study. I can't speak**
3 **on it.**

4 BY MR. KAHN:

5 Q. All right. Well, do you see where it says
6 "Despite declining arrests over the past 7 years,
7 reported annual use-of-force incidents have increased
8 on average 2 percent every year, with 615 total
9 incidents in 2019"?

10 **A. I see it.**

11 Q. Do you -- assuming that statistic to be
12 true, do you find that to be problematic?

13 **A. If it's true, sure.**

14 Q. If that -- if that statement -- if that fact
15 is true, would it be fair to say that there's a
16 systemic problem with police violence?

17 **A. Not necessarily. Like I said, I'm not very**
18 **familiar with this article. But looking into it, one**
19 **of the answers to this 2 percent -- to this -- to the**
20 **seven -- over the past seven years, decline in reports**
21 **of arrest -- maybe it could have something to do with**
22 **the mentally challenged. I don't know.**

23 **Maybe instead of -- they're not being**
24 **arrested. Maybe they're sent to Grady 13. I don't**
25 **know that they're being charged. I don't know. I**

1 **really can't speak on this article, sir.**

2 Q. Sure. And I'm just -- I'm just asking you
3 based on the statistic -- like, let's just -- let's --
4 we can take the article down.

5 Just, you know, sitting -- as we sit here
6 today, assuming that every year there is a 2 percent
7 increase in use-of-force incidents, does that suggest
8 to you that there is a bigger-picture problem in play?

9 **A. If that article is correct, then, yes, there**
10 **could be.**

11 Q. Has anyone you know, either through work or
12 personally, said anything to you about the video of
13 you tackling Mr. Griffin? And, obviously, that would
14 exclude communications with your lawyers.

15 **A. You know, like I said, this place is like**
16 **any other big organization. There's going to be**
17 **rumors. People -- you know, they've made comments**
18 **about it or statements about it, but nothing that I**
19 **can really recall. I mean --**

20 Q. Sure.

21 **A. -- not out of the ordinary.**

22 Q. What sort of comments or rumors have you --
23 have you heard?

24 **A. You know, people -- "Hey, that was -- that**
25 **was you on the media?"**

1 **"Yeah, that was me." You know, stuff like**
2 **that.**

3 Q. Has anyone criticized your -- you know, seen
4 the video and criticized you?

5 A. No one's criticized me personally, you know.
6 To be honest with you, some people like the technique.

7 Q. What do you -- what do you mean by that?

8 A. Just when he had the threat, how actions
9 were taken swift and quickly and, you know, direct.

10 Q. So I guess --

11 A. That's it.

12 Q. The way that I interpret that to -- what
13 that -- what I interpret that to mean -- and feel free
14 to correct me if it's wrong -- but what that means to
15 me is that you have been applauded by other police
16 officers for your use of force against Tyler Griffin.
17 Is that right?

18 A. Not applauded. Not applauded. I mean, we
19 don't -- we don't cheer when you hurt somebody or
20 anything like that. But the technique -- hey, you
21 know what? You were there. You were able to do
22 something about it. Good job. That -- that's it.

23 Q. Good job? Okay.

24 Has anyone -- has anyone told you that you
25 used too much force against Mr. Griffin?

Griffin vs. City of Atlanta

Donald Vickers

1 **A. No.**

2 Q. Are you embarrassed to have that video on
3 the news?

4 **A. No, I'm not embarrassed.**

5 Q. Are you proud of the -- that video?

6 **A. No, I'm not proud of it.**

7 Q. Do you have any regrets about the way that
8 you treated Mr. Griffin?

9 **A. No, sir.**

10 Q. Is there anything that you'd like to say to
11 Mr. Griffin on the record?

12 **A. No, sir.**

13 MR. KAHN: No further questions.

14 MS. MILLER: Okay. I do have a few
15 questions.

16 EXAMINATION

17 BY MS. MILLER:

18 Q. So, SPO Vickers, thanks again for being here
19 today. I know it's been quite a while, and I'll try
20 to make this as quick as possible.

21 I want to go back to your line of testimony
22 when you spoke about turning off your camera. Were
23 you near Mr. Griffin when you turned off your camera?

24 **A. No. I don't think I was ever near him when**
25 **I cut my camera off.**

1 Q. Did you believe it was appropriate to turn
2 off your camera at that time?

3 A. As long as I was away from Mr. Griffin and I
4 wasn't dealing with him or affecting the case, I
5 didn't see an issue with it.

6 Q. Okay. And why did you believe that it was
7 appropriate to turn off your camera at that time if
8 you were away from Mr. Griffin?

9 A. I think -- if I was away from Mr. Griffin,
10 the charges were done. He was in handcuffs. We were
11 simply trying to expedite his transportation to Grady.
12 There was nothing that was going to affect his case or
13 our decision.

14 Q. Okay. Did you ever tell Mr. Griffin that
15 you did not want him to get hurt?

16 A. You broke out a little bit.

17 Q. Sure. I'll repeat the question.

18 Did you ever tell Mr. Griffin that you
19 didn't want him to get hurt further?

20 A. Yes. I made that clear.

21 Q. Okay. And was that -- actually, I'll pull
22 up Defendant's Exhibit 1. Let's see. I'll share my
23 screen.

24 Okay. And can you see a video on your
25 screen?

Griffin vs. City of Atlanta

Donald Vickers

1 **A. I can.**

2 Q. Okay. And this is Exhibit -- Defendant's
3 Exhibit 1, which has been previously marked as
4 Griffin v. COA -599.

5 And I'm going to start about 3 minutes into
6 the video. I'm at 3 minutes and 3 seconds. And I'm
7 going to play the video for a while and then ask you a
8 few questions.

9 (Video plays.)

10 MR. KAHN: Staci, we can't hear any sound on
11 this.

12 MS. MILLER: You can't hear any sound?

13 MR. KAHN: Unh-unh.

14 MS. MILLER: Okay. So let me try to share
15 it again, then.

16 MR. KAHN: So I actually just learned this
17 yesterday, but apparently when you share the screen,
18 there's, like, a little check box that gives you the
19 option to share computer audio. And so that's what
20 I've been doing.

21 MS. MILLER: Okay. I thought that I clicked
22 that. Let me try again. So let me stop sharing.

23 Okay. Let me try to share it again. Okay.
24 I'm going to go back to 3 minutes and 3 seconds.
25 Okay.

1 (Video plays.)

2 MS. MILLER: Let me stop. Can you hear it
3 now?

4 MR. KAHN: Yes, I can.

5 MS. MILLER: Okay.

6 **A. I can.**

7 (Video plays.)

8 BY MS. MILLER:

9 Q. So, Officer Vickers, at this time when you
10 were in the -- when you were at the scene, did you
11 know what the injury to Mr. Griffin was?

12 **A. I think I was -- I was in the midst of**
13 **trying to find out. I didn't know his exact injury I**
14 **don't think.**

15 Q. Okay. I'll play a little bit more.

16 (Video plays.)

17 BY MS. MILLER:

18 Q. Did Mr. Griffin ever tell you that his ankle
19 was broken?

20 **A. No, ma'am.**

21 Q. Okay.

22 **A. I don't -- I don't believe -- I think -- he**
23 **kept his saying leg, his ankle. We couldn't figure**
24 **out what it was. At the time, I didn't know which one**
25 **he was talking about.**

1 Q. Okay. And I'm going to move the video
2 forward a little bit, and then I'll have some more
3 questions for you.

4 A. Before you play it --

5 Q. Um-hum.

6 A. -- I got -- I got supervisors on the other
7 watch. Can I just -- I got to yell out this door real
8 quick. Okay? So -- just before you play this. Is
9 that okay?

10 Q. I'm sorry. I'm sorry. What did you say?

11 A. It's shift change. So there's people -- the
12 new supervisors -- they don't even know that I'm still
13 out. They're going to be looking for me. They're
14 going to think I'm on the streets, and they're going
15 to be trying to find me.

16 Q. Okay. So do we need to take a --

17 A. No. I --

18 Q. -- take a quick break?

19 A. I just need 30 seconds. About 5 seconds.
20 Can I get 5 seconds real quick?

21 Q. Okay.

22 MR. KAHN: Yeah. That's fine. Fine by me.
23 Do what you need to do.

24 (Off-the-record discussion.)
25

1 BY MS. MILLER:

2 Q. I'm sorry. This was the wrong video. Okay.
3 So the next video -- let me stop sharing my screen.
4 Okay.

5 Okay. So after this first video that we
6 saw, did you help Mr. Griffin to the wagon?

7 A. Yes, ma'am, I did.

8 Q. Okay. And did anyone else assist you in
9 getting him to the wagon?

10 A. Yes, ma'am. Officer Simsell.

11 Q. Okay. Whose idea was it to bring the wagon
12 down the driveway?

13 A. I believe that was my idea.

14 Q. Okay. And did you assist the wagon in
15 getting down the driveway?

16 A. Yes, ma'am.

17 Q. And why did you do that?

18 A. Several reasons. One, I wanted to make sure
19 the wagon driver got down there safe. And, two, I
20 wanted to get the wagon as close to Mr. Griffin as I
21 possibly could. That way he wouldn't have to walk.
22 We could get him on his strong ankle and help him into
23 the wagon.

24 Q. Okay. There was a line of questioning about
25 the OPS investigation into this matter, and I believe

Griffin vs. City of Atlanta

Donald Vickers

1 your testimony was that you believe the use of force
2 should be sustained. Was that your testimony?

3 **A. Yeah. I said that on mistake. I should**
4 **have said not sustained or exonerated. I was pushing**
5 **for exonerated.**

6 Q. Okay. Why do you believe it should have
7 been not sustained or exonerated? And I'm talking
8 about the use of force in this particular instance.

9 **A. Once again, going back to the very**
10 **beginning, Mr. Griffin came with a threat. There was**
11 **a danger there. Once I took action and put**
12 **Mr. Griffin down, that threat and danger were gone and**
13 **my use of force was gone. I only used that that**
14 **was -- that was called for.**

15 Q. Okay. In your 15 years as a APD officer,
16 how many use-of-force complaints have you had against
17 you?

18 **A. I believe it's three.**

19 Q. Okay. And how many of those were sustained?

20 **A. There was only one that's sustained that I'm**
21 **fighting.**

22 Q. Okay. So to your knowledge, if there is a
23 investigation on use of force, there is -- if there is
24 a complaint of use of force, there is an investigation
25 into that matter. Is that correct?

1 MR. KAHN: Objection. It's leading.

2 A. Yes, ma'am.

3 BY MS. MILLER:

4 Q. Okay. And then after that investigation, is
5 there a discipline that you receive?

6 A. Yes, ma'am. The investigators -- they -- I
7 guess they have a chart they go by, and depending on
8 the necessary force is what they go with as far as the
9 discipline.

10 Q. Okay. I am going to show you what I have
11 marked as Defendant's Exhibit 2. And this is OPS File
12 No. 17-C-0353UAF, which is the matter that we have
13 spoken about previously that involved Mr. Thurmond.
14 And I will pull that up.

15 Okay. Here we go. Share screen. Okay.
16 Okay. Can you see my screen?

17 A. I can.

18 Q. Okay. And I am at a page that has been
19 previously Bates-labeled Griffin versus COA 001043.
20 And I'm going to read to you from this particular
21 page. It says "Attached is OPS Complaint
22 Investigation No. 17-C-0353-UAF involving Officer
23 Donald Vickers. In reviewing the completed adverse
24 action, I do not concur with the disposition for Work
25 Rule 4.2.33 (Conformance to Directives) should be

1 changed to not sustained."

2 Did I read that correctly?

3 **A. Yes, ma'am.**

4 MR. KAHN: Objection. Leading.

5 BY MS. MILLER:

6 Q. Okay. Do you know why Deputy Chief Glazier
7 asked Major Hampton not to sustain this particular
8 charge?

9 **A. I don't know.**

10 Q. Okay. And --

11 **A. This was --**

12 Q. Go ahead.

13 **A. Well, yeah. He -- actually, I do. He --**
14 **this case came from OPS. Went to my major. My**
15 **major -- well, it came to the chief. The chief sent**
16 **it back down to the major to discipline me. And the**
17 **major sent a letter back, like, "No. The**
18 **investigation was wrong," or whatever.**

19 Glazier -- this is a return letter, I guess,
20 from Chief Glazier basically saying, "Hey, go ahead
21 and just give him the time, and then let him fight it
22 in the civilian review board." That's what I was --

23 Q. Okay.

24 **A. -- told.**

25 Q. Okay. And, to your knowledge, is this

Griffin vs. City of Atlanta

Donald Vickers

1 charge a use-of-force charge or a conformance to
2 directives?

3 MR. KAHN: Object to -- objection. Leading.

4 A. Yeah. I mean, it's listed as conformance to
5 directives. What they were going off of, I don't
6 know.

7 BY MS. MILLER:

8 Q. Okay. So did this conformance to
9 direction -- conformance to directives decision have
10 anything to do with your use of force?

11 A. It doesn't appear that way, no, ma'am.

12 Q. Okay. And then I'm going to share one more
13 exhibit that we'll mark as Defendant's Exhibit 3.

14 MR. KAHN: I'm sorry. Ms. Miller, did you
15 mark that whole -- all 58 pages as Defendant's
16 Exhibit 2?

17 MS. MILLER: Yes.

18 MR. KAHN: Okay.

19 BY MS. MILLER:

20 Q. Okay.

21 MR. KAHN: Let me just -- I just want to put
22 something on the record while you're looking. I just
23 want the record to reflect that Defendant's Exhibit 2
24 is materially identical to Plaintiff's Exhibit A to
25 the deposition, which are documents that were produced

Griffin vs. City of Atlanta

Donald Vickers

1 last night less than -- you know, less than 12 hours
2 before the deposition.

3 MS. MILLER: And that's fine. I don't think
4 that they're identical now, because I think you had
5 some highlighting and different things. So I would
6 just like Defendant's Exhibit 2 to stand alone.

7 Exhibit A can -- you can do what you would like --

8 MR. KAHN: Sure.

9 MS. MILLER: -- to do with --

10 MR. KAHN: Yeah.

11 MS. MILLER: -- that exhibit.

12 MR. KAHN: Of course. Yeah.

13 MS. MILLER: Okay. Okay.

14 BY MS. MILLER:

15 Q. I've got to share my screen. Okay.

16 Okay. Defendant's Exhibit 3 is the OPS
17 investigation into File No. 10-C-0324-UAF, and I am
18 looking at page -- the page that has been previously
19 Bates-numbered as Griffin v. COA 000777. Okay. And
20 I'm going to read starting at the second paragraph.

21 So it says "After reviewing the contents of
22 this investigative file and considering the
23 information provided by Officer Vickers and his
24 representative during the employee response session, I
25 did not feel that the evidence contained in the

1 investigative file supported and sustained charge as
2 recommended by OPS."

3 Do you know why Deputy Chief Finley made
4 this statement to Major Dancy?

5 MR. KAHN: I'm going to just object to the
6 form of that question.

7 BY MS. MILLER:

8 Q. Okay. And you can answer.

9 A. I believe he sent it because he saw the
10 investigation. He's familiar with that area and the
11 facts. He just knew the case. He knew that I --
12 through the years, him working over me, I guess he
13 knew that that's not me. And through his
14 investigation, he knew that I wouldn't do something
15 like that. And there was no evidence to support any
16 of it. I mean, even the judge saw it.

17 MS. MILLER: Okay. If you'll just give me
18 30 seconds, I'm going to review my notes.

19 Okay. Those are all the questions that I
20 have for SPO Vickers.

21 FURTHER EXAMINATION

22 BY MR. KAHN:

23 Q. All right. I just have a few questions, and
24 then we'll let you get out of here. I know we've
25 taken up enough of your day.

Griffin vs. City of Atlanta

Donald Vickers

1 Would you -- would you agree that police
2 officers should only use force if it's necessary?

3 **A. Yes, sir.**

4 Q. Will you agree that if required to use
5 force, police officers should only use reasonable
6 force?

7 **A. Yes, sir.**

8 Q. Would you agree that police officers should
9 attempt to deescalate a situation before using force?

10 **A. If at all possible, yes, sir.**

11 Q. Is it fair to say that an officer's
12 subjective belief that force is necessary standing
13 alone is not enough to justify the use of force?

14 MS. MILLER: Objection.

15 But you can answer if you know.

16 **A. You'll have to repeat it. You broke up in**
17 **the middle of it.**

18 BY MR. KAHN:

19 Q. Sure. Is it fair to say that an officer's
20 subjective belief that force is necessary standing
21 alone is not enough to justify the use of force?

22 MS. MILLER: Same objection.

23 But you can answer.

24 **A. Yeah. I believe it has to be looked into.**
25 **Yeah. There's times that it wouldn't be justified.**

Griffin vs. City of Atlanta

Donald Vickers

1 BY MR. KAHN:

2 Q. So I guess the question -- the question is
3 is whether the -- whether an officer's subjective
4 belief alone, meaning that is all that is being
5 considered -- so an officer's subjective belief is not
6 enough standing alone to justify the use of force. Is
7 that -- is that an accurate statement?

8 MS. MILLER: Objection.

9 But you can answer.

10 A. As long as it's reasonable. As long as, you
11 know, the force seems reasonable, it's -- I mean, I
12 guess that's the only way to say it could be
13 justified. It has to be reasonable.

14 BY MR. KAHN:

15 Q. The decision to use force has to be
16 reasonable under an objective standard. Correct?

17 MS. MILLER: Objection.

18 But you can answer.

19 A. I'm not sure I understand -- you'd have to
20 rephrase it or repeat it.

21 BY MR. KAHN:

22 Q. Sure. I'll try repeating it once, and then
23 I can rephrase it if it's a bad question.

24 The decision to -- a police officer's
25 decision to use force must be reasonable under an

1 objective standard. Right?

2 MS. MILLER: Same objection.

3 But you can answer.

4 **A. Yeah. I wouldn't know how to answer that**
5 **one.**

6 BY MR. KAHN:

7 Q. I'm so sorry. What did you say?

8 **A. I wouldn't know how to answer -- I wouldn't**
9 **know how to answer that one.**

10 Q. Well -- all right. When you're taught on
11 the use of force at the police academy, are you taught
12 the distinction between subjective belief and
13 objective belief of reasonableness?

14 **A. Yes.**

15 Q. And so what is your understanding of the
16 distinction between a subjective belief that force is
17 necessary and an objective belief that force is
18 necessary?

19 **A. So if you're saying -- I don't know. I**
20 **guess if you want to rephrase it. Is if -- if the**
21 **officer believes so doesn't necessarily mean it's so**
22 **and doesn't mean that a reasonable person would do the**
23 **same. I don't know.**

24 Q. That's exactly what it means.

25 **A. That doesn't make it right. I --**

1 Q. So that's a perfect way of saying it. So
2 just because an officer believes that it's necessary
3 doesn't mean that a reasonable person believes it's
4 necessary. Right?

5 **A. That's right.**

6 Q. And then --

7 **A. Yeah.**

8 Q. So in order for your use of force against
9 Mr. Griffin to be deemed reasonable and not excessive,
10 it would have to be reasonable to -- from an objective
11 standard, which is different from just your personal
12 belief. Correct?

13 **A. Okay. I think I can agree to that.**

14 MR. KAHN: Okay. All right. That's all I
15 have, unless you have anything more, Ms. Miller.

16 I just want to thank you, Officer Vickers,
17 for your time. We've been here for about four and a
18 half hours, and I know that this has probably not been
19 the way that you would like to spend a Wednesday
20 morning. And we do appreciate your time.

21 MS. MILLER: Thank you, SPO Vickers.
22 Nothing further.

23 THE WITNESS: Thank you, guys.

24 (DEPOSITION CONCLUDED AT 3:27 P.M.)

25 (Pursuant to Rule 30(e) of the Federal Rules

1 of Civil Procedure and/or O.C.G.A. 9-11-30(e),
2 signature of the witness has been reserved.)
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1 The following reporter and firm disclosures
2 were presented at this proceeding for review by
counsel:

3 REPORTER DISCLOSURES

4 The following representations and
5 disclosures are made in compliance with Georgia Law,
more specifically:

6 Article 10(B) of the Rules and Regulations
of the Board of Court Reporting (disclosure forms)

7 O.C.G.A. 9-11-28(c) (disqualification of
reporter for financial interest)

8 O.C.G.A. 15-14-37(a) and (b) (prohibitions
against contracts except on a case-by-case basis).

- 9 - I am a certified reporter in the state of Georgia.
- 10 - I am a subcontractor for Pope Reporting & Video.
- 11 - I have been assigned to make a complete and
accurate record of these proceedings.
- 12 - I have no relationship of interest in the matter
on which I am about to report which would
disqualify me from making a verbatim record or
maintaining my obligation of impartiality in
compliance with the Code of Professional Ethics.
- 13 - I have no direct contract with any party in this
action and my compensation is determined solely by
14 the terms of my subcontractor agreement.

15 FIRM DISCLOSURES

- 16 - Pope Reporting & Video was contacted to provide
reporting services by the noticing or taking
17 attorney in this matter.
- 18 - There is no agreement in place that is prohibited
by O.C.G.A. 15-14-37(a) and (b). Any
case-specific discounts are automatically applied
19 to all parties at such time as any party receives
a discount.
- 20 - Transcripts: The transcript of this proceeding as
produced will be a true, correct, and complete
21 record of the colloquies, questions, and answers
as submitted by the certified court reporter.
- 22 - Exhibits: No changes will be made to the exhibits
as submitted by the reporter, attorneys, or
23 witnesses.
- 24 - Password-Protected Access: Transcripts and
exhibits relating to this proceeding will be
uploaded to a password-protected repository, to
25 which all ordering parties will have access.

C E R T I F I C A T E

STATE OF GEORGIA:

COUNTY OF COBB:

I hereby certify that the total transcript, pages 1 through 171, represent a true, complete, and correct transcript of the proceedings taken down by me in the case aforesaid (and exhibits admitted, if applicable); that the foregoing transcript is a true and correct record of the evidence given to the best of my ability.

The above certification is expressly withdrawn upon the disassembly or photocopying of the foregoing transcript, unless said disassembly or photocopying is done under the auspices of myself and the signature and original seal is attached thereto.

I further certify that I am not a relative or employee or attorney of any party, nor am I financially interested in the outcome of the actions.

This 30th day of October, 2020.



Jennifer Davis-McLain, RMR, CRR, CRC, CCR-2496
Georgia Certified Court Reporter

VIA EMAIL

Date: 11/3/2020

To: Staci Miller, Esq.

Re: Signature of Deponent Donald Vickers

Greetings:

The deponent has reserved the right to read and sign. Please have the deponent review the attached transcript, noting any changes or corrections on the attached Errata.

Once the Errata is signed by the deponent and notarized, please mail it to the offices of Pope Reporting (below).

When the signed Errata is returned to us, we will seal and forward to the taking attorney to file with the original transcript. We will also send copies of the Errata to all ordering parties.

If the signed Errata is not returned within the time below, the original transcript may be filed with the court without the signature of the deponent.

Date Errata due back at our offices: 12/10/2020

Please send completed Errata to:
Pope Reporting & Video, LLC
2741 Pangborn Road
Decatur, Georgia 30033
(404) 856-0966

ERRATA

JOB NUMBER: 18497

I, the undersigned, do hereby certify that I have read the transcript of my testimony,
and that

_____ There are no changes noted.
_____ The following changes are noted:

Pursuant to Rule 30(7)(e) of the Federal Rules of Civil Procedure and/or OCGA 9-11-30(e), any changes in form or substance which you desire to make to your testimony shall be entered upon the deposition with a statement of the reasons given for making them. To assist you in making any such corrections, please use the form below. If additional pages are necessary, please furnish same and attach.

PAGE _____ LINE _____ CHANGE _____

REASON FOR CHANGE _____

PAGE _____ LINE _____ CHANGE _____

REASON FOR CHANGE _____

PAGE _____ LINE _____ CHANGE _____

REASON FOR CHANGE _____

PAGE _____ LINE _____ CHANGE _____

REASON FOR CHANGE _____

PAGE _____ LINE _____ CHANGE _____

REASON FOR CHANGE _____

PAGE _____ LINE _____ CHANGE _____

REASON FOR CHANGE _____

PAGE _____ LINE _____ CHANGE _____

REASON FOR CHANGE _____

PAGE _____ LINE _____ CHANGE _____

REASON FOR CHANGE _____

PAGE _____ LINE _____ CHANGE _____

REASON FOR CHANGE _____

PAGE _____ LINE _____ CHANGE _____

REASON FOR CHANGE _____

PAGE _____ LINE _____ CHANGE _____

REASON FOR CHANGE _____

DEPONENT'S SIGNATURE

Sworn to and subscribed before me this _____ day of

_____, _____.

NOTARY PUBLIC

My Commission Expires: _____

WORD INDEX**< 0 >**

000006 4:8
 000008-000015 4:6
 000055-00057 4:10
 000102 3:24
 000121 4:22
 000188-000189 4:19
 000611-000614 4:15
 000618-000628 4:17
 000745-000746 4:12
 000762-000767 4:4
 000774-000930 5:11
 000775 4:24
 000777 165:19
 001041-001098
 3:12 5:8
 001043 162:19
 001059 129:16

< 1 >

1 4:23 5:6 71:3, 6
 140:12, 15 156:22
 157:3 173:5
 1.2 3:13 39:11, 13,
 20, 24 40:3 43:14
 86:6
 1.3 3:14 45:9
 81:18, 21
 1.4 3:15 46:5, 22
 1:20-cv-02514-TWT
 1:1
 10 2:5 107:1
 10(B 2:22 172:5
 100 106:6 108:19
 108 4:12, 16
 10-C0324-UAF
 5:10
 10-C-0324-UAF
 4:17 165:17
 11:00 1:1
 11:35-11:38 31:18
 111 4:10, 23
 119 4:17
 11-page 17:22
 12 165:1
 12/21/11 4:19

12:08-12:14 52:13
 12:45-12:48 71:12
 12:50 71:2
 122 4:19
 126 3:11
 13 152:24
 138 4:3
 14 4:21 128:8
 129:1
 15 13:17, 18, 19
 145:5 146:22
 161:15
 1-5 1:1
 151 5:3
 15-14-37(a 172:7,
 18
 155 3:4
 157 5:6
 15th 97:22
 16 4:12
 162 5:7
 165 5:8
 166 3:5
 17 3:22
 171 173:5
 17-C-03530UAF
 5:8
 17-C-0353UAF
 162:12
 17-C-0353-UAF
 162:22
 18 10:14 11:1, 8,
 11
 19 129:14
 1st 138:23

< 2 >

2 5:7 139:8 152:8,
 19 153:6 162:11
 164:16, 23 165:6
 2.2 3:16 52:6
 53:1, 7 56:6
 2.5 3:17 68:25
 69:10
 2/6/12 4:12
 2:04-2:13 120:22
 2:10 120:19
 20 107:1

2011 4:12
 2012 4:23
 2016 4:21 122:19
 2018 138:23
 2019 4:5 20:13
 64:2 138:20, 23
 139:14 152:9
 2020 1:1 173:19
 21 1:1
 21st 13:18
 24 3:22 17:18
 18:2
 2496 1:1

< 3 >

3 4:5 5:8 92:22
 157:5, 6, 24 164:13
 165:16
 3.1 3:18 71:16, 19,
 24 73:16
 3.3 3:19 63:11, 22
 3:27 170:24
 30 3:24 30:21, 25
 31:23 32:3, 9
 159:19 166:18
 30(b)(6 85:25 87:8
 30(e 170:25
 30303 2:12
 30324 2:5
 30th 138:23
 173:19
 32 133:16
 33 4:3 138:16, 19
 39 3:13
 3-point 71:19

< 4 >

4 50:25 93:22
 141:14, 15 142:3
 4.1 3:20 47:19
 48:1, 11, 24 49:14
 4.1.1 104:2
 4.2 3:21 57:9 63:1
 4.2.33 102:18
 129:19 162:25
 4.2.37 94:3 99:20
 4.2.51 98:5
 404.330.6402 2:13
 404.587.8423 2:6

42 4:5 64:8, 13
 65:18 84:21, 24
 89:21 93:11 97:8
 45 3:14 4:6 97:24
 46 3:15
 47 3:20
 48 4:8 79:23

< 5 >

5 159:19, 20
 5.2 69:16 73:19
 50 54:4 111:12
 5000 2:12
 502 5:3 151:13, 15
 52 3:16 4:10
 111:3, 6, 13 120:24
 53 4:12 108:7
 54 4:16 108:21
 55 2:11
 56 4:17 119:24
 120:1
 57 3:21 4:19
 122:10, 11, 13
 135:24
 58 4:23 111:25
 164:15
 599 157:4
 5th 20:13, 19 64:2
 76:2 78:5 139:4

< 6 >

6/30/19 140:2
 60 126:23
 615 152:8
 63 3:19
 64 4:5
 69 3:17
 6th 20:17 122:19

< 7 >

7 3:4 152:6
 71 3:18
 79 4:8

< 8 >

8 127:18, 19

< 9 >

9-11-28(c) 172:6	accident 32:22	162:23	alleviated 37:8
9-11-30(e) 171:1	33:1	advised 54:18	allowed 27:10 75:5
97 4:6	accidentally 66:18	advising 54:16	allowing 131:19
< A >	95:16	Advisory 5:3	ambulance 37:22
a.m 1:1 31:18	accidents 32:20	151:16	38:6, 9, 16 39:1
ABAD 1:1 7:1	accurate 99:18	affairs 78:13, 24	50:17, 24 94:6
19:4, 21 20:1, 3, 21	168:7 172:10	110:16 126:7	99:23 101:18
22:1 23:6, 11, 21	accurately 26:7	129:10 148:2	104:19
24:3 25:3 33:2, 17,	accusation 145:25	affect 156:12	amnair@atlantaga.g
20, 25 34:1, 2, 8	accused 92:6	aforesaid 173:7	ov 2:14
36:14 37:6, 14, 15	107:22 136:10, 14	age 10:14 11:1, 11	and/or 171:1
40:13, 16 41:11, 19,	accusing 92:16	aggressive 133:19	angle 33:14
22 42:6, 9, 16, 21	act 40:2	134:7	ankle 9:24 19:5, 9
43:3 46:10, 25	acted 86:6 88:24	ago 7:20 15:11	30:3, 5, 6, 10, 13, 18
48:1, 12, 14, 24	acting 35:9 124:1	18:23, 24, 25 19:2	31:7, 11 32:11
49:1, 15 50:2, 6, 9,	ACTION 1:1 4:12,	78:7	37:16, 20, 25 43:24
11 51:2, 5, 9, 11, 21	19 91:21 98:11	agree 39:4 85:11	51:6, 23 52:2 61:7,
63:2 71:2, 8, 10	112:15 127:20	89:25 90:18, 23	13, 14, 21 63:7, 8,
73:12, 19 74:3, 4, 6,	129:3 161:11	91:16 92:2 103:16,	19 101:21 102:8
13 75:19 76:3, 7	162:24 172:13	19 104:15 127:22	158:18, 23 160:22
77:18, 21 78:3, 21	actions 17:10	129:18 130:8, 17	annual 152:7
79:10, 15, 18 81:3,	114:7 154:8	131:16, 18 133:11,	answer 8:8 11:16,
4, 22 82:2, 10, 14	173:18	12 145:17, 22	17 12:1, 12, 21, 25
83:1, 6, 10	activate 35:5	146:2, 5 167:1, 4, 8	13:4 19:7 26:11
Abad's 24:6 26:5	36:12 65:25	170:13	27:13 32:13 34:24
29:24 34:3, 13, 15	102:18 103:7, 13	agreement 6:4	40:8, 19 41:4, 14,
37:3 42:3 45:20,	104:18	172:14, 17	25 42:12, 20 43:5
23 74:20 80:5, 20,	activated 34:21	ahead 27:16 49:10	49:18 51:8, 19, 25
22, 23 81:14, 24	35:3 36:16 94:17	82:18 85:10	55:8 65:4 66:11
abbreviated 105:20	96:19	128:11 131:12	67:5, 14 68:19
ability 173:10	acts 116:1	148:8 163:12, 20	75:21 76:25 77:12
able 24:16 33:16	actual 103:24	aimed 114:21, 24	79:11 81:2, 12
42:21 95:21	129:7 140:10	air 93:6	82:5, 7, 18 87:14
106:15, 19 109:25	add 49:19 68:14	AJC 31:8	88:5 89:6, 16
139:15 154:21	147:3	alarms 10:7	90:22, 25 92:13
above-mentioned	administer 14:16	alcohol 58:4	102:3 104:25
129:17	administering 6:15	ALISHA 2:10	112:9 113:5 130:3,
absence 121:19	admitted 173:7	6:24	25 131:1 132:14,
Absolutely 84:12,	admonishment	allegation 84:11	23 133:4, 15
13 110:10, 25	98:12, 21 99:4, 8	110:17 122:14	135:13 137:4, 10,
144:25	100:8 104:9	allegations 15:14	18 140:5 141:24
abuse 104:4, 8	admonishments	84:3, 5 105:21	147:2, 3 149:2
academy 40:6	99:16	110:15 112:21	151:25 166:8
62:16 149:22	adopted 10:21	alleged 128:3	167:15, 23 168:9,
169:11	ADP.SOP.2010	150:21 151:3	18 169:3, 4, 8, 9
accepted 118:2, 3	94:3	allegedly 27:19	answered 49:17
Access 172:23, 25	Adverse 4:10, 17	30:3	87:15 147:1
	127:20 129:3	alleviate 40:10	answers 152:19
			172:21

<p>anybody 48:3 72:20 114:24 128:10 146:14 anymore 57:5 anyway 98:2 123:15 apart 122:24 APD 5:3 13:12, 16, 23 14:1 21:25 53:23 101:20 102:8 137:3 141:19 150:8, 13 161:15 APD's 19:11 apologize 99:14 127:7 apologizing 125:5 apparently 157:17 appeal 96:2 appear 111:12 138:19 164:11 APPEARANCES 2:1 appeared 125:23 appears 18:1 85:24 87:7 104:10 127:20, 25 129:2 139:22 applauded 154:15, 18 applicable 173:8 applied 172:18 appointed 131:24, 25 appreciate 138:15 170:20 approach 28:3 33:21 approached 33:3, 9 appropriate 91:21 109:16, 20 156:1, 7 appropriately 104:21 approximately 72:15, 21 75:18 110:20 April 20:13, 17, 19 64:2 76:2 78:5</p>	<p>139:4 AR-15 118:17 area 20:15, 23 115:18 124:11 140:21 166:10 arm 80:5, 15, 20, 22, 23 81:14, 24 123:5, 6 124:13, 14 arrest 67:3, 12 68:17 81:5 117:9, 11, 12 152:21 arrested 24:11 25:5 117:7 152:24 arrests 152:6 arrive 33:8 94:11 arrived 123:8 Arthur 86:1 Article 2:22 152:1, 18 153:1, 4, 9 172:5 arts 12:5, 9 Ashley 122:3, 5 asked 40:24 47:12 49:17 60:16 86:14 95:7 116:14 129:22 147:1 163:7 asking 7:13, 25 10:8 20:16 38:16 40:22 46:17 70:8 98:14 99:12 137:14, 19 147:4, 10, 12 153:2 asleep 115:8 assault 114:21, 23 119:10 assigned 20:21 172:9 assignment 20:13 assist 23:10 80:5 160:8, 14 assume 98:10 assuming 72:8, 22 104:6 134:24 152:11 153:6 assured 144:9 ATLANTA 1:1 2:5, 11, 12 4:8 6:5, 25 7:3 12:14 16:5</p>	<p>23:13 40:1 67:19 85:19 87:4, 25 88:2 89:13, 17 92:10 99:9 104:16 112:6 114:22, 24 115:13 119:10 120:3 122:13 131:19 136:18, 22, 25 137:24 145:2 146:17, 23, 24 147:15 148:22 Atlanta's 18:6 Attached 162:21 173:15 attempt 167:9 attempts 62:14 63:6 attention 91:25 116:10 attorney 6:17 172:17 173:17 attorney-client 16:10 82:8 137:20 attorneys 19:14 137:3, 16 172:22 attributed 65:24 audio 35:16, 24 36:24 70:7 139:9 157:19 audit 95:19, 21 96:15 audits 96:18 August 122:19 auspices 173:14 automatically 172:18 Ave 22:5 Avenue 2:11 average 152:8 aware 27:14 36:10 58:7, 9 59:25 93:14 97:14 136:17 140:2, 6 awareness 57:21 58:23 < B > back 23:24 25:21 28:21, 24 35:14</p>	<p>36:23 51:15 52:15, 21 62:4 72:8 76:20 81:5 82:17 83:24 89:20 98:9 101:21 102:9 106:16, 20 108:3 110:22 116:12, 22 118:21 119:21 123:18 124:9, 10, 12, 17 125:11, 14 126:6 127:10 128:23 131:11, 14 135:23 155:21 157:24 161:9 163:16, 17 backed 61:25 backyard 21:15 23:5 24:15, 18 28:5 29:6 39:6 bad 63:7, 8 168:23 badge 115:10 116:4, 18 118:8 119:4, 6 balance 80:4, 12, 14, 21, 23 81:15, 22, 24 83:6 balancing 44:6 80:6 ballpark 76:8 99:14 105:6 bang 119:19 bar 116:16 119:13, 17 124:24 bars 119:14 base 19:24 140:7 based 87:15 92:4 139:3 153:3 basically 121:4 137:11 163:20 basis 40:20, 24, 25 41:1 82:6, 9 141:17 172:8 Bates 129:15 Bates-labeled 162:19 Bates-numbered 165:19 battery 72:7</p>
--	--	--	--

bear 150:20 151:2	159:2	broke 9:19 49:23	camera 18:13, 16
beep 36:2	black 110:6	73:3 118:10	19:3 35:2, 5, 7, 12,
beer 113:9	blatant 83:9	156:16 167:16	25 36:2, 6, 13
beginning 21:22	bleeding 123:7, 21,	broken 19:5, 9	64:22, 25 65:2, 11,
36:18 71:24	24	30:18 47:1 51:6,	13, 16 66:2, 8, 13,
105:21 114:4	blew 27:21	23 61:13, 21	16, 23 67:3, 12, 23
161:10	blocking 23:15, 16	101:21 102:8	68:2, 16 69:4
behalf 2:2, 7	28:22 33:11	158:19	71:20 72:15, 21
85:19 87:3 88:2	blocks 115:12	brought 15:23	74:20, 21, 25 75:14
behaved 63:23	blood 117:16	17:7, 9 76:20 85:1	84:7 94:17, 23
behavior 53:23	Board 2:22	118:17	95:3, 6, 18, 20, 25
belief 167:12, 20	120:16 122:14	brushed 45:20, 25	96:7, 19 97:3, 16,
168:4, 5 169:12, 13,	128:14 163:22	brutality 26:9	17, 18, 19 102:19
16, 17 170:12	172:6	buffer 35:12	103:7, 14, 18, 20, 23
believe 10:3 18:25	body 18:13, 16	buffering 35:13	104:18 124:18, 20
22:4 34:17 42:18,	19:3 32:21 34:15,	36:20, 21	128:7 155:22, 23,
22 45:2 69:14	18 35:5 36:13, 18	bully 55:10	25 156:2, 7
71:4 72:4 74:20	64:1, 22 66:8 67:3,	bumped 78:6	cameras 75:6
92:14 97:21 98:16	12, 23 68:2, 9, 16	burglaries 20:23	96:14 125:20
107:22 111:7	70:14 71:20 72:3	21:1	126:8
122:20, 22 127:2	73:8 74:2 75:5, 14	burning 125:24	camera's 75:18
156:1, 6 158:22	91:13 97:16, 18, 19	business 135:8	95:14 96:16
160:13, 25 161:1, 6,	102:19 103:7, 13,	busted 123:4	cans 123:1
18 166:9 167:24	17, 20, 23 104:18	Butler 2:4 6:19	capacity 15:12
believed 61:5	124:17 130:14, 18	button 35:13, 16,	captains 131:4
believes 169:21	body-worn 36:2	17, 23 36:8, 22, 24	captures 67:24
170:2, 3	84:6 94:17	66:17	car 21:3, 8, 10, 12
best 35:3, 21 62:2	bones 61:14	button's 95:15	22:7 23:13, 22
130:4 133:5 173:9	bottom 33:12	buy 151:8	24:19 26:15 27:3,
better 58:24 59:6	122:12 131:6	BWC 65:21	10 33:2, 4, 5, 10, 11,
61:19 64:12 77:12	Boulevard 22:4, 5		15, 16, 19, 20, 22
121:7	box 157:18	< C >	34:2 36:13 43:9,
big 24:8 59:10	bragging 54:7, 12,	C.A.R.E 140:15	17, 21, 24 80:17
83:3 99:4 106:4	14	call 32:24 37:22	81:15 83:5 106:15,
107:23 119:16	brake 29:5	39:1 50:17, 23	17, 20 108:4 110:7
123:22 124:4, 5	branch 9:15	77:24 91:24 94:6,	117:2
134:18 149:20	brand-new 117:4	18 104:19, 20	care 60:8 61:23
153:16	break 8:5, 7, 9	116:23 127:15	89:10 94:9 143:16
bigger 34:8 53:25	50:5 75:24 101:10,	146:14	144:8 145:15
bigger-picture	11 114:11 120:19	called 38:5, 16	C-A-R-E 140:15
153:8	159:18	50:25 161:14	career 15:1 99:8
binding 6:15 88:14	bridge 22:6	calling 58:16, 20	147:13
bit 19:22 20:5	brief 7:23 52:17	147:23	case 6:4 10:9
52:11 53:13, 17	Briefly 9:14 10:21,	calls 16:17 40:4	15:14 17:1, 3, 6, 12
68:4 79:1 87:25	22 22:25	cam 34:15, 18	18:7, 14 20:1, 5, 7
102:4 123:25	bring 10:3 138:13	36:18 64:1 68:9	73:12 75:7, 16
124:18 148:11	160:11	70:14 72:3 73:8	76:7 78:1, 21
156:16 158:15		74:2 91:13	79:22 83:20 85:16
			88:3 103:18 107:6

118:1 120:17 138:9 139:16 140:24 141:9 145:2 156:4, 12 163:14 166:11 173:7 case-by-case 172:8 cases 77:10 136:7, 9 case-specific 172:18 catch 34:13 149:7 categories 101:13 category 98:4, 24 100:15, 16 141:14 cause 51:10 119:19 causes 115:2 causing 110:22 caution 138:12 cautioned 136:18 137:25 138:5 CCR-2496 173:22 center 35:13 certain 79:11, 16, 19 143:21 certification 173:11 Certified 1:1 118:10 172:8, 21 173:22 certify 173:4, 16 chain 4:19 130:6, 7, 12 131:23, 25 132:24 133:2, 7, 10 challenged 152:22 chamber 118:14, 16, 18 chambered 118:22 chance 45:6 change 74:25 112:6 130:22 131:20 159:11 changed 24:10 112:1, 18 129:12, 25 132:6, 19, 20 163:1 changes 132:25 172:22 changing 113:15	charge 105:25 106:1 107:5 117:11 123:13 163:8 164:1 166:1 charged 45:23 107:4 152:25 charges 117:6, 8, 19 156:10 charging 45:19, 22, 25 118:18, 20 chart 162:7 Chattahoochee 22:4, 5 check 37:22 38:6, 17, 19, 20, 23 39:2 124:7 157:18 checked 37:24 cheer 154:19 chest 110:22 chief 108:13, 14 112:5, 16, 17, 25 113:2, 10, 20, 23, 24, 25 128:4 131:11, 16 163:6, 15, 20 166:3 chief's 129:11 children 11:10 chokehold 109:25 choking 109:7 chose 22:16 93:19 chuckle 54:20 circle 150:6 citizen 51:6, 22 55:5 57:16 109:17 121:9 citizens 62:17 122:14 142:7 144:24 citizen's 53:20 121:8 150:22 151:4 CITY 1:1 2:11 6:5, 25 7:3 12:14 16:5 18:6 20:9, 10 85:19 87:4, 25 88:2 89:13, 17 92:9 105:25 107:10, 11, 13 112:6 126:24	131:19 136:18, 22, 24 137:16, 24 138:6, 7 146:17 148:22 151:17 CIVIL 1:1 6:6 171:1 civilian 120:15 128:12 135:7 163:22 claim 25:7 35:17 44:24 claimed 28:15 126:9 claiming 124:4 claims 85:1 clarification 137:18 clarify 13:4 46:14 78:12 class 149:22, 23 clean 82:23 cleaner 8:14 clear 38:21 50:18 51:19 93:9, 14 94:2 103:10 139:17 156:20 clearer 136:25 clearly 133:18 134:6 clerk 123:2, 10 clerk's 123:4 clicked 157:21 clip 46:4 63:10 clips 39:10 68:23 Close 16:22 22:6 23:2 107:6 115:5 160:20 closed 119:14 Closeout 3:11 5:7, 8 clothes 135:7 clothing 21:25 22:1 COA 3:12, 24 4:4, 6, 8, 10, 12, 15, 17, 19, 22, 24 5:8, 11 157:4 162:19 165:19 COBB 173:3	code 143:23 151:7 172:12 collaborate 68:13 college 9:11 colloquies 172:21 color 26:20, 21 Come 13:17 37:22 38:23 39:2 55:10 109:5, 12 116:12 133:10 138:10, 13 139:13, 15 comes 52:22 112:14 143:21 coming 22:8 25:3, 22 26:3 33:21 96:14 138:2 150:1 command 130:7, 12 131:24 132:1, 25 133:3, 7, 10 commands 23:12, 23 37:7 comment 142:5 144:22 commentary 139:3 comments 139:2 140:20, 25 141:3, 7, 22 142:2 153:17, 22 committed 118:23 common 68:15 communicate 77:21 communications 153:14 compare 74:4 compared 74:8, 13 compensation 172:13 complain 43:23 120:14 126:4 complained 111:21 125:17 126:5 134:15 complaining 149:15 Complaint 3:11 4:16 5:7, 8 16:25 76:19, 23 77:7, 16 78:14 105:23 113:23 121:9, 14, 16, 17 125:18
--	---	---	---

136:19 137:25 161:24 162:21 complaints 65:13 107:21 111:18 120:11 161:16 complete 104:25 139:19 172:9, 20 173:5 completed 140:1 162:23 completely 24:11 44:19 117:10 140:8 compliance 172:4, 12 computer 49:9 51:14 52:21, 22 157:19 computer's 51:12 concern 92:19 142:6 144:5, 23 concerning 84:3 92:25 CONCLUDED 170:24 concur 162:24 conditions 10:4 condones 92:10 conduct 91:13 117:11, 13 120:9 139:3 CONDUCTED 1:1 CONFERENCE 1:1 confirming 70:12 conform 91:8 conformance 91:9 162:25 164:1, 4, 8, 9 confusing 126:15 connection 102:5 cons 104:1 consciousness 133:22 134:10 135:10, 11 conserve 72:7 consider 15:2 considered 168:5	considering 165:22 cont 4:1 5:1 contact 111:1 contacted 172:16 contained 165:25 contents 165:21 continue 124:21 Continuing 3:23 contract 172:13 contracting 15:21, 23 contracts 172:8 Control 4:17 5:8, 10 23:25 34:2 35:24 36:1, 4 conversation 113:21 147:15 conversations 16:4, 17 19:25 52:18 cops 75:5 117:2 copy 100:23 corner 69:10 70:18 corporation 149:20 Corps 9:16 correct 18:4 25:8 26:12, 15, 16 28:17 29:25 30:19 33:12, 13 38:23, 24 44:14 46:2 47:9, 17 48:25 49:16 50:7, 12, 13 53:16 58:12 69:5, 11 70:9, 14, 15, 19, 20 71:21, 22 72:1 85:1, 2 87:25 88:22 91:15 92:7, 8 98:8 102:20, 24 104:14 105:13 114:5 128:24, 25 139:6, 13 146:1 153:9 154:14 161:25 168:16 170:12 172:20 173:6, 9 correction 134:20 corrections 124:11 125:14	correctly 62:7 64:19 66:4 109:9 143:7 147:8 163:2 Correspondence 4:16 Council 5:3 151:16 COUNSEL 2:1, 23 6:13 172:2 count 105:4 COUNTY 1:1 173:3 couple 16:16 99:17 125:14 course 14:13 85:7 137:19 138:6 165:12 COURT 1:1 2:22, 23 6:10, 12, 15 7:4 26:8 31:19 106:25 110:17 117:8 118:1 172:6, 21 173:22 courteous 140:16 141:5, 20 142:17, 23 courtroom 118:5 courts 118:2 cousins 10:11 cover 85:25 87:8 COVID 6:9 CRC 1:1 173:22 creates 8:14 crime 118:23 criminal 109:18 criticisms 139:2 criticize 146:17, 24 criticized 154:3, 4, 5 CRR 1:1 173:22 cry 43:20 culture 148:22 cumulatively 16:18 cure 40:21 current 13:14 62:15 63:24 67:7 currently 13:9, 12 cut 20:22 35:21 49:9 51:13, 15	68:4 72:8 74:21, 24 75:10 123:5, 6 125:12 148:10 150:11 155:25 cutoff 72:7 cutting 70:15 75:13 < D > damage 124:19 damages 30:1 Dancy 166:4 danger 89:10 92:18 161:11, 12 dark 26:21 Dart 26:19 dashcam 25:13, 18 date 46:16 64:6 121:13 138:24 dates 121:21, 23 Davis 139:22, 23 140:24 141:10 Davis-McLain 1:1 173:22 day 20:20 96:10 121:20 166:25 173:19 days 16:16 102:22, 25 103:2, 3 111:14 113:25 120:2, 4, 7 126:4, 6 128:8, 11 deal 72:9, 12 97:18 99:5 124:8 dealing 59:25 61:11 75:8, 10 93:7 105:24 123:15 138:12 156:4 dealings 134:21 Debra 10:23, 24 December 4:5 decide 37:1, 4 decided 117:5, 18 decision 156:13 164:9 168:15, 24, 25 decline 152:20 declining 152:6
--	---	---	---

<p>deemed 170:9</p> <p>deescalate 167:9</p> <p>Defendant 3:22 6:3 16:1 29:24 86:6, 15</p> <p>Defendants 1:1 2:7 5:5, 14 6:23</p> <p>Defendant's 156:22 157:2 162:11 164:13, 15, 23 165:6, 16</p> <p>definite 90:22</p> <p>definitely 90:3 145:15</p> <p>degree 9:11 61:15, 18</p> <p>demeanor 24:10</p> <p>Department 2:11 4:8 40:1 67:19 89:14 140:16 145:6 146:17 148:23 151:5</p> <p>department-wide 150:19 151:2</p> <p>depending 162:7</p> <p>depends 41:20</p> <p>deposed 15:11 137:8</p> <p>DEPOSITION 1:1 5:14, 15 6:2, 4, 5, 8 7:14, 15 8:7 16:6, 14 19:12, 15 52:18 71:3, 5 85:25 87:8 126:25 164:25 165:2 170:24</p> <p>deputy 108:13 112:5, 17, 25 113:2, 10, 20 163:6 166:3</p> <p>describe 142:22</p> <p>described 126:16</p> <p>DESCRIPTION 3:9 4:2 5:2</p> <p>deserve 144:22</p> <p>deserves 75:17</p> <p>desk 129:11</p> <p>Despite 152:6</p> <p>details 30:15</p> <p>detain 124:11</p>	<p>detained 28:1 106:7 123:9</p> <p>detention 25:5</p> <p>determined 37:24, 25 38:8 50:21 112:21 114:7 118:6 172:13</p> <p>device 35:10 65:23 66:1</p> <p>diagnose 135:16</p> <p>diagnostic 65:20</p> <p>diagnostics 95:18</p> <p>difference 83:3, 9</p> <p>different 8:10 16:16 57:4 85:9 126:15 133:5 145:13 149:18 165:5 170:11</p> <p>differently 44:22 83:7 86:18</p> <p>difficulty 80:3</p> <p>direct 154:9 172:13</p> <p>direction 106:11 149:7 164:9</p> <p>directives 91:9 162:25 164:2, 5, 9</p> <p>directly 74:3 130:22 131:4</p> <p>disagree 108:18 127:23 130:8</p> <p>disagreed 130:13</p> <p>disassembly 173:12, 13</p> <p>discharged 9:18, 20 10:2</p> <p>disciplinary 121:9</p> <p>Discipline 4:6 162:5, 9 163:16</p> <p>disclosure 2:23 172:6</p> <p>disclosures 172:1, 3, 4, 15</p> <p>discount 172:19</p> <p>discounts 172:18</p> <p>discovery 17:12 18:7, 12</p> <p>discuss 78:11</p>	<p>discussed 113:1</p> <p>discussing 78:1</p> <p>discussion 159:24</p> <p>dispatch 33:7</p> <p>displayed 69:21 143:5, 13 144:5</p> <p>Displays 142:6 144:14, 20, 23</p> <p>disposition 84:25 112:1, 7, 18 113:16 131:20 162:24</p> <p>disqualification 172:6</p> <p>disqualify 172:11</p> <p>distance 37:12</p> <p>distinction 169:12, 16</p> <p>distorted 20:16</p> <p>DISTRICT 1:1</p> <p>disturbance 119:20</p> <p>DIVISION 1:1</p> <p>divorced 10:23</p> <p>doctor 126:1, 13 135:21</p> <p>doctors 61:20</p> <p>document 17:21, 23, 25 93:11 95:10 108:9, 12 111:13 127:18, 25 128:1 129:15 132:5, 10, 17 133:25 151:17</p> <p>documents 126:23 127:1 164:25</p> <p>Dodge 26:19</p> <p>DOE 1:1</p> <p>doing 20:15, 17 22:23 23:11 58:14 62:13 75:12 80:18 92:17 157:20</p> <p>DONALD 1:1 3:3, 22 4:3, 8 6:3 7:5 8:18 162:23</p> <p>door 80:15, 17 81:15 115:9, 11 124:22 125:2, 22 126:10 127:14 133:20 134:8 159:7</p>	<p>doors 124:23</p> <p>door's 124:23</p> <p>draw 117:16</p> <p>dressed 134:24 135:4</p> <p>drinking 115:19 117:17</p> <p>drive 24:22 28:19, 21, 25 29:3, 21</p> <p>driver 22:23 28:11 160:19</p> <p>driver's 73:19</p> <p>driveway 23:15, 16 24:22 28:23 33:12, 22 61:2 160:12, 15</p> <p>driving 22:1, 7 25:14 30:10 31:13 32:10</p> <p>dropped 76:18 120:9</p> <p>drove 21:14 23:3 28:15 30:3</p> <p>drunk 125:3</p> <p>Due 9:22 61:5 115:1, 2</p> <p>DUI 14:12, 13</p> <p>duly 7:6</p> <p>dumped 122:25</p> <p>duty 121:19</p> <p>< E ></p> <p>earlier 129:22 144:1</p> <p>early 20:12, 17</p> <p>easy 65:14 66:17</p> <p>effect 144:3</p> <p>effective 141:15</p> <p>either 11:13 15:25 35:7 47:16 76:10, 22 77:4 78:20 117:24 153:11</p> <p>elbow 115:2</p> <p>electronically 5:14</p> <p>element 150:5</p> <p>Elizabeth 4:21</p> <p>E-mail 4:19 122:13 133:17</p> <p>embarrassed 155:2, 4</p>
---	---	--	---

empathy 142:6 143:5, 14, 19, 24 144:14, 16, 20, 24 employ 13:9 employed 13:12 Employee 4:6 112:6 134:23 141:6 165:24 173:17 employees 131:19 EMS 94:10 encounter 28:6 33:17 encountered 124:12 encourages 40:2 ended 21:10 69:4 enforcement 13:25 125:17 143:22 entire 67:24 environment 150:6 equipped 25:18 26:22 27:5 error 35:10 64:24 95:8, 11 133:22 errors 95:23 Espy 4:21 ESQUIRE 2:3, 4, 7, 10 essentially 100:10 established 73:24 ET 1:1 Ethics 172:12 evaluated 91:2 141:5 Evaluation 4:3 61:20 65:21 138:20, 22 139:6, 16 140:7, 24 event 12:9 67:24 103:24 events 126:15 everybody 22:22 70:9 89:18 115:18 125:17 evidence 25:9, 12 165:25 166:15 173:9 exact 16:15 66:25 105:5 158:13	exactly 24:16 30:5 66:14 106:1 123:9 141:21 169:24 Examination 3:4, 5 7:8 155:16 166:21 EXAMINATIONS 3:1 examined 7:6 example 141:2, 4 147:25 Exceeds 141:16 Excellent 17:20 45:15 52:23 73:23 excerpt 5:3 151:16 excessive 14:20 15:3, 15 83:17 84:11 85:20 87:5 89:2, 4, 13 97:9 105:21 111:15, 22 120:12 128:18 132:6, 9, 19 145:2, 3, 6 150:9, 15 170:9 exclude 59:23 153:14 excluding 16:3 Excuse 20:20 29:19 65:7 73:17 78:7 132:20 EXHIBIT 3:9, 11, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 24 4:2, 3, 5, 6, 8, 10, 12, 16, 17, 19, 23 5:2, 3, 6, 7, 8 17:18 18:2 30:20, 21 31:21, 23 32:3, 9 39:11, 20, 24 40:3 43:14 45:9 46:5, 22 47:19 48:1, 11, 24 49:14 52:6 53:1, 7 56:6 57:9 63:1, 11, 22 64:7, 8, 13 65:18 68:25 69:10, 16 70:24 71:16, 19, 24 73:15, 16, 17, 19 79:23 81:18, 21 84:21, 24, 25 85:23 86:6 89:21 93:11	97:8, 24 108:7, 21 111:3, 6, 13, 25 119:24 120:1, 24 122:10, 13 126:19 127:19 135:24 138:16, 19 151:13, 15 156:22 157:2, 3 162:11 164:13, 16, 23, 24 165:6, 7, 11, 16 EXHIBITS 3:8 4:1 5:1, 11, 14 172:22, 24 173:7 exists 151:10 exonerated 85:4, 13 89:1, 9 113:18 130:1 161:4, 5, 7 expect 55:1, 3 expected 141:16 expedite 156:11 experience 14:1 32:19 131:14 150:7, 13 experienced 86:24 explain 58:15 121:24 147:9 expressly 173:11 extent 139:4 extra 94:14 eyes 148:4 < F > face 73:21 face-to-face 75:11 fact 27:24 40:22 44:3 53:25 55:18 65:1 66:7 73:25 75:12 77:16 95:11 107:24 109:11 110:9, 25 111:17 118:7 128:3 135:10 152:14 facts 166:11 failed 90:5, 8 failing 90:12 91:8 98:7 99:22 101:17 102:18	failure 65:23, 25 91:24 103:7, 13 139:10 failures 94:1 Fair 7:22 14:11 30:5 77:14 91:5 93:19, 21 103:13, 19 105:1 121:25 139:12 148:17, 18, 21 152:15 167:11, 19 fairly 89:18 141:11 fall 55:4 falling 80:16 falls 125:3 false 80:25 110:25 112:22 135:19 familiar 112:4 152:18 166:10 family 8:24 10:10, 11, 13, 22 11:7 19:16, 18 far 14:13 18:12 20:11, 17 27:16 36:3 40:9 45:14 81:13 83:20, 22 84:5 89:8 95:6, 23 145:13 162:8 fast 42:1 fast-forward 107:7 fat 110:6 fault 134:4 February 13:17, 18 Federal 6:6 26:8 170:25 feed 128:7 feel 18:3 154:13 165:25 feeling 89:8 feet 44:5 106:18 fell 56:2, 10 63:3 115:8 118:20 133:21 134:9 142:13 143:10 fellow 150:9, 15, 21 151:3 felt 41:16, 20 42:13 88:18 89:9
---	--	---	--

female 28:12 106:8 107:5 females 124:3, 13 field 14:16 93:17 fifth 150:2 fight 45:4 128:12 163:21 fighting 12:8 127:23 128:23 161:21 figure 22:13 51:16 61:4, 10 105:6 158:23 FILE 1:1 3:11 5:7, 8 100:14 129:17 136:15 162:11 165:17, 22 166:1 filed 17:1 77:16 Final 4:17 112:1, 6 127:20 129:2, 7 131:20 finally 91:19 117:18 financial 172:7 financially 173:18 find 55:22 56:11, 13, 19, 21, 24 60:14 84:21 142:14 143:11 152:12 158:13 159:15 finding 83:19 85:11 89:25 90:5, 18 91:8, 16, 17 96:2 108:18 129:25 130:22 findings 83:25 84:2 97:20 103:6 114:8 133:12 138:11 139:13 fine 88:13 114:13 137:17 159:22 165:3 fined 107:4 finish 8:13 71:6 76:13 96:3 finished 97:20 Finley 113:2, 10,	20 166:3 fired 138:8 Firm 2:4 6:19 172:1, 15 First 3:22 7:6 10:20 25:6 33:20, 24 34:14 39:19 53:11 84:23, 24 85:3, 5, 8 90:1, 20 98:16, 18 104:24 121:8 132:4, 17 150:11 160:5 fistfight 11:13, 21 fistfights 12:10 FIT 20:21 Fite 14:5, 8 87:9, 16, 18 88:20, 24 Fite's 87:2 Five 101:15 105:7 110:20 111:14 113:25 fixed 151:23 fled 21:9 flee 28:5 flip 80:1 92:21 93:22 127:17 129:13 133:16 139:8 floor 133:21 134:9 fly 149:5 folks 10:25 follow 55:1 followed 27:11 following 172:1, 4 follows 7:7 follow-up 127:8 foot 28:6 43:10, 18 48:16, 17 107:18, 21, 24 108:3 111:1 footage 18:14, 16 19:3 45:13 70:14 103:20, 24 football 9:4, 6, 9 Force 5:3 14:6, 20, 24 15:3, 15, 19 68:2, 10, 17 83:17, 25 84:2, 5, 11 85:4, 20 86:16 87:4, 16	88:21 89:2, 4, 13, 23 90:6, 9, 12 92:7, 10 93:4, 17 97:9 98:8 104:12 105:9, 22 108:16 111:15, 22 120:12 128:18 132:6, 9, 19 133:20 134:8 136:8, 10, 15 145:2, 3, 6 150:10, 15 151:16 154:16, 25 161:1, 8, 13, 23, 24 162:8 164:10 167:2, 5, 6, 9, 12, 13, 20, 21 168:6, 11, 15, 25 169:11, 16, 17 170:8 forced 117:24 forcing 24:9 foregoing 173:8, 13 Forgive 98:16 form 98:17 166:6 forms 172:6 forward 50:12 159:2 forwarded 113:23 130:6 foul 75:1, 25 found 76:19 77:17 92:5 103:6 119:7 128:17 four 101:13 110:20 115:15 170:17 fractures 9:25 free 132:15 137:10 154:13 frequently 67:19 Fresh 125:10 friend 106:8 friendly 113:2 117:1 119:6 friends 19:24 60:2 front 116:21 119:17, 18 frowned 145:18, 23 full 8:16, 18 133:20 134:8, 19 fun 53:20, 22, 24 54:1 55:9	funny 54:21, 22, 25 55:2, 20, 22, 25 56:11, 14, 22, 24 57:2, 5 60:14 142:15 143:12 Further 3:5 51:10 65:11 112:20 117:5 144:12 155:13 156:19 166:21 170:22 173:16 FY2019 4:3 < G > gangster 124:4 gas 24:24 122:23, 24 general 70:13 generally 21:1 99:12 103:20 145:18, 22 149:15 Georgia 1:1 2:5, 12, 22 8:22 10:14 11:1 172:4, 8 173:2, 22 getting 50:22 61:1 160:9, 15 GIANNOTTI 2:4 6:20 girl 57:13, 24 58:10, 16, 17, 21 60:24 144:2, 19 girlfriend 106:9 115:3 116:16, 23 119:3 girlfriend's 107:2 give 7:23 17:15 22:21 23:9 69:7 76:8 79:6 85:6 90:22 99:14, 18 100:11 104:25 105:5, 20 106:4 116:6 123:2 126:17 128:11 147:25 163:21 166:17 given 7:17 98:23 100:18, 21 101:19
---	---	---	---

103:1 104:9 107:17 173:9 gives 157:18 giving 23:12 33:6, 7, 25 34:1 117:16 glass 119:19 Glazier 163:6, 19, 20 glimpse 23:18 go 9:1 22:16 25:3 29:15 35:14 36:23 49:10 62:4 65:11 71:3, 9, 10 77:10 81:4 82:18 84:15, 23 85:9 89:20 95:1 98:1 106:2 109:1 113:24 114:15 115:9, 11, 22, 25 116:7, 22 119:21 121:5 123:23 125:24 126:7, 8, 22 127:8, 9, 10 128:8, 11 131:12 135:23 145:14 148:8 155:21 157:24 162:7, 8, 15 163:12, 20 goal 94:7 140:12, 15, 20, 21 142:3 goes 10:9 35:12 98:24 125:9 132:1 going 7:25 8:14 17:14 20:10, 24 21:4, 23 22:12 27:21 28:9, 24 31:23 35:2 38:9, 10 39:15, 20 41:9 45:4, 7, 8 46:3, 4 47:18 48:20 51:16, 18 52:4, 5 53:6 56:4 57:8 61:10 63:9, 10 68:24 69:3, 15 70:7, 21, 24 71:3, 6, 14 72:9, 12 76:14 78:23 80:1 81:6 82:4, 6, 23 83:4, 10 84:20, 23 85:22 86:3, 11	87:13 92:21 93:8, 23, 24 95:1 96:3 100:19 106:2 108:14 114:9, 10, 13, 17, 18 115:13 117:19, 23, 25 120:15 121:23 122:9 123:9, 14, 24 124:21 125:18 126:17 127:17 129:13 133:16 134:22 137:17 138:13 144:8 153:16 156:12 157:5, 7, 24 159:1, 13, 14 161:9 162:10, 20 164:5, 12 165:20 166:5, 18 Good 6:24 7:2, 10 29:2 30:8, 9 45:6 63:6 89:17 114:15 154:22, 23 gotcha 148:14 grab 63:18 116:7 125:1 grabbed 63:20 106:17 109:7 113:9 115:9 116:22 Grady 25:5 38:3, 13, 22 62:2 94:10 123:25 124:1, 12 125:20 134:23 143:16 152:24 156:11 gravel 24:18 25:1 Great 39:17 121:2 GRIFFIN 1:1 3:12, 24 4:4, 6, 8, 10, 12, 15, 17, 19, 22, 24 5:8, 11 6:5 7:12 18:17 19:4, 8 23:22 24:2, 4, 15, 19, 23 25:6 27:10, 18 28:3, 4, 15, 18 29:3, 21 30:2 33:3 34:1, 2, 3, 6, 16, 22 37:2, 5, 23 38:6, 17,	20 39:2, 5, 8 40:14, 17 41:12, 16 42:2, 10 43:9, 17, 20, 23 44:3, 9, 15, 19, 24 45:19 46:8, 22, 25 47:1, 4, 10 48:2, 12, 15, 16, 24 49:15, 20, 21, 22 50:7, 11, 15, 18 51:10 52:1 54:8 55:1, 14, 15 57:12, 20, 22 58:2 59:14, 15, 20, 23 60:5, 6, 18, 20 61:4, 11, 21 62:10, 14, 21 63:5, 15, 19 72:9, 12 75:22, 23 76:22 77:6, 15, 19 80:3, 11, 17, 20 81:4, 22, 24 83:5, 14 84:3 87:5 90:6 91:13, 25 92:11, 18 93:1, 4 94:6, 8, 14, 20 96:23 97:7 101:18 104:5, 8, 13, 17, 22 120:10 136:7, 13 138:25 139:4 140:3 142:13 143:3, 4, 9, 13, 15, 17 144:1, 5, 14, 20 153:13 154:16, 25 155:8, 11, 23 156:3, 8, 9, 14, 18 157:4 158:11, 18 160:6, 20 161:10, 12 162:19 165:19 170:9 Griffin's 21:8 24:1, 13, 21 28:23 29:8 30:16 31:7 32:10 33:20 37:16, 20 38:22 53:15 136:19 137:25 139:16 ground 7:23 55:14 94:20 106:13, 17, 19 124:20 125:4 group 60:2	grow 8:19, 20 grown 58:3 guarantee 99:10 guard 115:21 guards 115:15 116:3, 14 119:2 guess 7:23 12:6 15:22 17:7 21:20 26:6 29:4 50:5 66:15 84:9 93:14 94:13, 25 101:8 110:13 112:20 113:22 118:22 121:5 135:15 136:5 143:3 145:17 148:6, 18 149:11 154:10 162:7 163:19 166:12 168:2, 12 169:20 guessing 112:24 guilty 107:4 guns 96:11 115:22, 25 guy 53:25 115:25 124:19 126:9 guys 47:2, 11 115:16, 17, 19, 22, 24 116:4, 9, 10 170:23 guy's 120:14 < H > hair 9:24 half 19:2 170:18 hall 78:8 Hampton 163:7 hand 24:2, 6 34:3 37:3 40:16 41:11, 23 42:3 45:20, 23 46:1 60:1 86:19 112:16 116:8 119:11 handcuffed 107:19 127:15 handcuffs 24:7 106:14 156:10 handle 97:17 118:18, 20
---	---	---	--

<p>handled 86:18, 20 87:1 88:17, 19 113:22</p> <p>hands 23:25 37:7 45:4 124:15</p> <p>hangout 115:18</p> <p>happen 118:24 150:5</p> <p>happened 15:18, 22 21:21 54:9, 13, 17, 19, 21 76:3 77:19 78:4 96:10 105:18 107:11 114:25 123:17 127:13 139:18 140:2</p> <p>happens 67:18 77:10 98:20, 24 138:8</p> <p>happy 17:10 137:12 147:11</p> <p>hard 13:7 24:24 56:10 121:22, 24 142:14 143:11</p> <p>harder 8:11</p> <p>harsher 100:17</p> <p>hates 125:16</p> <p>head 77:10 107:22, 24 125:22 126:2 148:9, 12, 15</p> <p>head-on 22:8 25:3, 7, 23 26:3 27:19</p> <p>headquarters 78:7</p> <p>hear 8:2 13:7 15:6 18:10 23:10, 11, 17, 23 43:20, 23 44:9, 15 46:8, 12, 22, 24, 25 47:3, 4, 10, 14 52:9 53:11 54:2, 6 56:9, 12 57:12 59:13, 19 69:3, 19 70:5, 8, 11 75:17 88:8, 11 107:3 115:8 133:8 143:7 147:5 157:10, 12 158:2</p> <p>heard 7:11 15:5 20:9 30:17 33:25 46:10 47:12 52:25</p>	<p>58:3 68:1, 8 85:15, 18, 21 87:2 88:11 102:4 112:12 146:6, 10, 11, 13, 16, 22, 23 147:24 148:1, 5 149:11, 13, 14, 21 150:19 151:1, 6, 8 153:23</p> <p>hearing 45:12 107:2</p> <p>He'd 42:1</p> <p>help 123:11 160:6, 22</p> <p>Hey 42:9, 16 59:11 60:17 69:3 70:5, 8 76:16 78:9, 10 96:16 109:4, 11 115:22 116:10, 15 119:5, 21 125:7 133:11, 13 144:6 153:24 154:20 163:20</p> <p>high 9:1, 2, 3 11:14</p> <p>higher 98:25</p> <p>higher-ranking 129:24</p> <p>higher-up 132:5</p> <p>higher-ups 131:2</p> <p>highlighted 86:4 92:22 93:23, 25 94:16 109:3, 21 122:16 129:15 133:17 136:1 142:5</p> <p>highlighting 165:5</p> <p>Highly 141:15</p> <p>hill 33:14</p> <p>history 121:10</p> <p>hit 25:7 27:19 35:16 36:22, 24 37:14, 15 66:17 106:19 125:2 129:11</p> <p>hitting 65:15</p> <p>hold 23:25 24:3 34:2 38:18 42:9, 16 80:16 81:22 83:5</p>	<p>holding 63:5 80:5, 17, 20, 22 81:4, 24 124:13, 14 143:17</p> <p>hole 125:24</p> <p>Holly 10:22</p> <p>home 116:22</p> <p>homeowner 24:12, 20 29:6</p> <p>homeowner's 23:15 24:18 28:22 33:11, 15, 16</p> <p>honest 7:20 15:16 27:14 96:8 154:6</p> <p>Honestly 18:8 35:20</p> <p>honorable 10:4</p> <p>honorably 10:1</p> <p>hoping 113:18</p> <p>horrible 60:7</p> <p>horrific 32:21</p> <p>hospital 38:2, 11 94:8 99:23 123:23 125:8 135:20</p> <p>hot 12:17 20:24</p> <p>hour 16:19, 20</p> <p>hours 16:21, 22 126:25 165:1 170:18</p> <p>house 23:19 33:22</p> <p>Howell 22:3, 14</p> <p>human 32:20</p> <p>hung 113:13</p> <p>hurt 30:2, 4, 6, 10, 13 37:17, 20, 25 47:2, 11 48:17 52:2 57:15 61:7, 24 90:3 125:5, 8 126:3 154:19 156:15, 19</p> <p>hurting 43:24</p> <p>hypothetical 40:23 41:3</p> <p>hypothetically 42:22</p> <p>< I ></p> <p>idea 89:1 106:4 112:17 121:14</p>	<p>129:6 135:2, 25 160:11, 13</p> <p>identical 164:24 165:4</p> <p>identified 118:9</p> <p>identify 118:25</p> <p>immediate 11:7</p> <p>immediately 66:2</p> <p>impartiality 172:12</p> <p>important 103:18</p> <p>improper 41:3</p> <p>improvement 151:20</p> <p>incident 46:16 65:22 66:3 68:12 74:10 75:8 76:2 90:10 94:1 95:6 105:19 114:20 120:3 122:19 127:12 129:3 134:16 135:24 136:1, 3 138:1 139:18 140:8, 10 148:16</p> <p>incidents 121:5 152:7, 9 153:7</p> <p>incident's 68:20</p> <p>include 21:2 138:24</p> <p>includes 108:24</p> <p>including 6:8 61:14 89:3</p> <p>incorrect 93:12</p> <p>increase 153:7</p> <p>increased 152:7</p> <p>independent 130:14, 18, 23</p> <p>INDEX 3:1, 8 4:1 5:1</p> <p>indicate 65:22</p> <p>indicated 94:2</p> <p>individual 127:2</p> <p>information 82:8 92:24 137:20 165:23</p> <p>informed 84:7 97:9 108:13</p> <p>initial 72:6</p> <p>injure 144:12</p>
--	---	--	---

<p>injured 51:6, 22 55:6 62:17</p> <p>injuries 30:16 57:25 58:1, 2 106:23</p> <p>injury 9:22, 23, 24 50:4 51:10 92:25 115:1 158:11, 13</p> <p>inside 118:4, 5</p> <p>inspirational 59:1</p> <p>instance 161:8</p> <p>instances 136:9</p> <p>instruct 82:5, 7</p> <p>instructed 137:12</p> <p>instructor 14:5 87:3 88:21</p> <p>insult 57:16, 20, 22 58:18, 22 59:3, 4</p> <p>interacting 142:7 144:24</p> <p>interactions 105:16</p> <p>interest 172:7, 10</p> <p>interested 173:18</p> <p>Internal 4:16 78:13, 23 110:16 111:25 121:16, 17 126:6 129:10 148:2</p> <p>interpret 154:12, 13</p> <p>Interrogatories 3:23</p> <p>intersection 23:1, 9 27:22</p> <p>interview 78:22</p> <p>interviewed 78:15</p> <p>interviews 78:4, 13, 19</p> <p>intoxicated 58:13 59:8 61:7 124:14</p> <p>intoxication 61:5, 11</p> <p>introduce 6:13</p> <p>investigate 20:25 21:24 130:15, 18</p> <p>investigated 83:12, 16 89:3 105:2</p> <p>investigating 122:14</p>	<p>investigation 20:11 45:3 78:14 83:19, 22 84:25 92:15, 17 105:15 108:25 111:18 112:7, 20 113:20 120:16 128:6, 7 130:6, 23 131:20 133:3 139:19 140:9 160:25 161:23, 24 162:4, 22 163:18 165:17 166:10, 14</p> <p>investigations 105:8</p> <p>investigative 84:2, 18 129:17 131:13 165:22 166:1</p> <p>investigator 64:4, 14, 21 78:15, 19 79:3 85:18 86:7, 14 94:22 133:6, 7</p> <p>investigators 133:9, 10 162:6</p> <p>involve 136:8</p> <p>involved 162:13</p> <p>involving 15:14 129:17 132:18 162:22</p> <p>issue 156:5</p> <p>issued 65:21</p> <p>issues 66:1, 12 97:19 151:19</p> <p>issuing 113:25</p> <p>< J ></p> <p>J.D 4:14, 23</p> <p>JACQUITA 2:10 7:2</p> <p>jail 106:2, 22, 23 117:14, 20, 25 118:2, 4</p> <p>jails 123:24</p> <p>japarks@atlantaga. gov 2:14</p> <p>jeans 115:10 116:18</p> <p>Jennifer 1:1 173:22</p>	<p>job 13:14 15:21, 23 89:17 154:22, 23</p> <p>JOHN 1:1 147:20</p> <p>join 51:15 71:2</p> <p>joking 53:15 59:14, 16, 20, 22 60:2 62:9, 11</p> <p>Jr 8:18</p> <p>judge 106:25 107:3 139:16 166:16</p> <p>judging 60:5</p> <p>judgment 90:2</p> <p>July 138:23</p> <p>jumbled 13:6</p> <p>jumbling 8:15</p> <p>jumped 23:6</p> <p>June 4:23 138:23</p> <p>jury 10:9, 12 75:16 88:23, 25</p> <p>justified 44:19 86:15 87:16 167:25 168:13</p> <p>justify 167:13, 21 168:6</p> <p>< K ></p> <p>KAHN 2:3 3:4, 5 6:2, 18 7:9, 11 11:20 12:2, 16, 22 19:10 26:13 27:17 29:9, 12, 14, 16, 18 31:17, 22 32:1, 15 39:22 40:12, 20, 24 41:3, 7, 8, 18 42:5, 15 43:1, 8, 16 45:17 46:7, 17, 20 47:21, 24 48:6, 9, 20, 22 49:7, 12 50:1 51:17 52:3, 8, 12, 14 53:9 55:12 56:8 57:11 60:23 62:6 63:13 65:6 66:20 67:9, 17, 22 68:21 69:2, 23 70:4, 25 71:6, 13, 18 75:2, 4 76:1 77:3 81:8, 16, 20</p>	<p>82:6, 13, 20 88:9 89:11, 19 92:20 101:24 102:6, 13 112:11 113:8 114:11, 15, 18, 19 120:18, 21, 23 130:10 131:8 132:11, 13 133:1 134:3 135:17 136:24 137:6, 19, 22, 23 140:11 142:1 147:6 149:8 152:4 155:13 157:10, 13, 16 158:4 159:22 162:1 163:4 164:3, 14, 18, 21 165:8, 10, 12 166:5, 22 167:18 168:1, 14, 21 169:6 170:14</p> <p>Kane 70:25</p> <p>keep 28:24 61:1 80:16 114:10, 13, 17, 18</p> <p>kept 27:21 61:6 65:14 106:12 124:3 158:23</p> <p>keys 115:10</p> <p>kick 35:16 107:25 108:1</p> <p>kicked 110:20</p> <p>kicking 107:22</p> <p>kicks 36:25</p> <p>kids 11:8</p> <p>kind 23:24, 25 24:8 57:1 79:6 122:7 124:4 128:8 135:1 149:5</p> <p>knew 27:15 94:9 114:7 117:2, 23 119:2, 3, 7 123:23 134:20 144:11 166:11, 13, 14</p> <p>knocked 124:19 126:9</p> <p>knocking 124:17 126:10</p> <p>know 7:19, 20 8:3, 6, 11, 13 10:8, 11</p>
---	--	---	---

11:2 12:8 13:3 14:8, 9, 16 15:7 16:8, 9, 12, 23 19:23 20:8, 9, 10 22:12, 18, 19, 20, 22, 24 23:18 24:5, 9, 16 26:19, 20 27:10 28:9, 10, 11, 12 29:22 30:4, 14, 15, 17 32:18 33:8 34:3, 23, 24 35:9, 19, 20 36:15 37:16 38:12, 13 39:3 40:8 42:7 43:11, 12 49:1, 2, 20, 23 50:3, 25 51:9, 11 52:20 54:23 55:21 56:1 58:16 59:11 60:5 64:3, 16, 23, 24 65:1, 4, 9, 10, 14, 15 66:6, 11, 12, 19 67:6, 10, 21 68:19 72:8, 17, 18, 24 74:11, 12 76:9, 16, 18, 25 77:1, 20 78:2 79:6 81:2, 6, 12 82:18 83:10, 21, 23 86:24 88:7 89:7, 16 91:3 92:2 93:16 94:5, 11, 13 95:3, 7, 18, 22 96:17, 25 98:7 99:10, 13 100:11 102:3 104:7 105:10 107:9, 14 108:5, 10 112:9, 10, 23 113:9 114:5 115:18, 23 116:17 119:3, 5, 8 120:13 121:3, 22 122:1, 7, 8 124:15, 20, 25 125:1, 25 126:3, 5, 24 130:3, 25 133:8, 14 134:14, 19 135:8, 13, 14, 19 136:2, 25 137:4, 15 138:1, 2 139:3, 17 140:5, 9 142:25 143:20 144:6, 7	145:14 146:12, 14 147:16, 20, 21 148:2, 4 149:2, 3, 19, 23 150:2 151:25 152:1, 2, 22, 25 153:5, 11, 15, 17, 24 154:1, 3, 5, 9, 21 155:19 158:11, 13, 24 159:12 163:6, 9 164:6 165:1 166:3, 24 167:15 168:11 169:4, 8, 9, 19, 23 170:18 knowing 63:24 74:20 knowledge 130:5 133:5 161:22 163:25 known 149:5 < L > label 129:16 lady 125:16, 23 126:4 lag 8:3 lagging 148:11 landed 23:4 24:15, 17 landscaping 29:7 lane 22:7 Laney 11:9 Larry 10:22 late 115:9 laugh 55:2, 5 laughed 54:18 laughing 55:13, 15, 17, 25 56:2, 3, 9, 20, 23 59:14, 15, 20, 22 62:9 142:13 143:10 Law 2:4, 11 6:19 13:25 125:17 143:21, 23 172:4 lawful 55:18 lawsuit 7:18 15:25 lawsuits 136:16 lawyer 118:3 lawyers 16:4, 7, 11,	13, 19 153:14 lay 55:14 leading 162:1 163:4 164:3 leads 42:22 leaning 80:4 81:14 learn 77:15 learned 157:16 leave 28:5, 7 36:7, 9 56:5 116:11, 12, 22 leaves 131:21 leaving 116:1 ledge 28:16, 19, 21 29:3, 21 30:3, 10 31:14 32:10 left 22:3, 16, 24 23:2 33:19 43:10, 18 48:16, 17 56:5 61:24 110:21 leg 46:9, 13, 23, 25 47:5 61:6 63:20 143:19 158:23 legitimate 82:9 Lenox 2:5 letter 100:11 101:22 102:10 112:3 131:10, 14 163:17, 19 letting 57:21 58:16 117:15 143:20 144:6 levels 145:13 149:18 leverage 80:15 License 1:1 lie 82:2, 15 83:1, 10 lies 107:2 135:14 Lieutenant 4:6, 14, 16, 23 117:4 lieutenants 131:5 life 69:4 72:7 light 57:3, 6 60:16 116:8 125:3 lighten 62:14 lights 23:18 26:23 27:2 29:5, 7 116:8	line 31:16 74:4, 5 142:20 155:21 160:24 lined 73:10 74:9 lines 8:15 lingering 151:19 list 10:15, 18 listed 11:6 121:9 164:4 listen 55:18 88:23 listing 10:19 little 8:11 19:22 20:5, 16 27:2 52:11 53:13 57:13, 24 58:10, 16, 17, 21 60:24 61:1 68:4 78:25 79:6 83:6 85:22 100:7 102:4 123:25 124:18 125:12 144:2, 19 148:11 156:16 157:18 158:15 159:2 live 113:12 lived 115:5 load 63:15 located 1:1 location 20:24 21:23 22:19, 21 23:9, 10 33:6 136:2 locations 30:18 lock 117:13 locked 125:1 133:20 134:8 long 7:20 13:16, 19 15:11 104:17, 20 117:22 120:5 149:4 156:3 168:10 longer 16:24 38:9, 10 92:18 look 23:8 43:13 46:4 49:4 60:21 62:8 68:24 69:9 70:17 81:5, 17 98:9 116:11 123:10, 18 125:15
---	---	---	--

129:1 130:8 131:21 looked 48:11, 15 50:14 62:25 74:19 85:9 92:14 94:25 101:17 104:24 116:17 125:23 129:7 167:24 looking 30:25 32:8 33:6 90:4 92:4 98:18 127:18 131:13 147:12 152:18 159:13 164:22 165:18 looks 70:25 71:1 99:24 102:21 121:18 131:10 141:9 loose 24:18 95:15 lose 135:10 loss 133:22 134:9 lost 22:25 47:21 49:6 52:12 102:5 135:10 lot 8:23 9:8 32:19 52:10 53:12 57:25 58:1 60:13 77:10 93:8 100:17 106:5 122:24, 25 123:1 124:2 131:13 149:20 loud 23:12 luckily 114:3 lunge 34:15 lying 82:11 83:3 LYNDALL 2:3 6:20 < M > ma'am 109:18 158:20 160:7, 10, 16 162:2, 6 163:3 164:11 mad 133:18 134:6 Madam 6:10 maintaining 80:4, 12, 13 172:12 Major 60:9, 11, 17 75:10 130:12	131:2, 12 163:7, 14, 15, 16, 17 166:4 making 19:4 21:2 53:22, 24 54:1 57:21 59:25 115:20 124:5 172:11 male 28:12 122:22 malfunction 35:10 64:25 65:2, 23, 24 66:7 95:8, 11 maltreatment 85:4 man 56:11 58:3 101:20 102:8 105:16 123:10 135:10 142:14 143:11, 12 147:20 148:1 manner 140:17 marching 125:2 MARIE 2:10 6:24 Marietta 9:2 Marine 9:16 Marines 9:18 mark 164:13, 15 marked 5:11, 14 21:6, 7, 25 39:20 45:9 52:5 71:16 157:3 162:11 markings 27:9 marks 54:5 married 11:3 martial 12:5, 9 matched 98:10 materially 164:24 Matt 6:18 7:11 matt@butlerfirm.co m 2:6 matter 27:24 88:14 160:25 161:25 162:12 172:10, 17 matters 137:9 MATTHEW 1:1 2:3 mean 14:9 15:6 16:15 19:24 20:14 24:25 29:4 30:6 37:12 38:21 42:2,	4 44:14 46:15 47:1, 11 53:25 57:23, 25 58:25 60:6, 7 67:7 69:6 71:4 72:2 76:11 77:12 79:4, 5, 8 83:8 86:25 92:9 95:10, 14, 15, 19, 25 97:7 98:15 102:15 105:5 112:14 122:4 132:24 133:14 134:25 142:19 146:10 147:24 148:10 149:17, 19, 21 151:9 153:19 154:7, 13, 18 164:4 166:16 168:11 169:21, 22 170:3 meaning 121:20 168:4 means 90:5 98:19 104:16 114:5 141:15 151:10 154:14 169:24 meant 13:7 media 153:25 medical 61:15, 18 91:25 meet 78:3, 10 107:7 113:24 members 10:11, 13 19:16, 18 memo 111:25 Memorandum 4:5, 14, 23 memory 81:6 83:10 men 114:21 mentally 152:22 Mentioned 19:16 54:22 93:5 96:13 mess 124:21 message 77:22 messages 77:18, 25 messed 65:16 142:25 met 16:16 97:21	112:25 metal 31:10 middle 67:3, 12 124:24 167:17 midst 158:12 military 8:24 9:13 11:14 Mill 22:3, 14 MILLER 2:7 3:4 6:22 11:15, 18, 23, 25 12:11, 19, 21 19:6 26:10 27:12 31:16, 20 32:12 40:7, 18, 22 41:1, 6, 13, 24 42:11, 19 43:4 46:14, 19 48:5, 8 49:17 51:7, 24 52:19 55:7 65:3 66:9, 11 67:4, 13, 20 68:18 69:21 71:1, 10 75:20 76:24 81:1, 11 82:4, 10, 16 88:4, 7 89:5, 15 92:12 101:23 102:1, 3, 11 112:8 113:3, 5 114:13 120:20 130:2, 24 132:8, 22 133:25 135:12 136:20 137:2, 6, 14, 21 140:4 141:23 147:1 149:1 151:24 155:14, 17 157:12, 14, 21 158:2, 5, 8, 17 160:1 162:3 163:5 164:7, 14, 17, 19 165:3, 9, 11, 13, 14 166:7, 17 167:14, 22 168:8, 17 169:2 170:15, 21 mind 10:19 21:19 45:7 62:15 85:6 mine 70:15 92:19 minimum 14:14 minute 21:18 71:7 126:18 133:23 134:10
--	--	---	--

minutes 24:12 35:15 36:23, 24 72:3, 15, 21 75:18 107:1 157:5, 6, 24 misconduct 122:15 130:15, 19 145:19, 24 146:18 misheard 145:20 missed 37:14 121:20 missing 96:16 mistake 60:6 143:1 161:3 mixed 12:5, 9 48:18 mock 62:17 mode 35:12, 13 36:21 model 26:17 modify 12:6 moment 31:15 59:10 61:9 69:7 Monday 37:12 money 123:2 months 76:19 MORGAN 2:3 6:20 morgan@butlerfirm .com 2:7 morning 6:24 7:2, 10 20:12, 17 170:20 motherfucker 109:4, 11 motivation 61:1 move 24:12, 20 29:9, 16 46:8, 12, 23 47:5 48:20 75:2 159:1 movie 60:9, 13, 19 62:11 movies 27:3 multiple 94:1 < N > NAIR 2:10 6:24 31:15 52:19 86:10	name 7:11 8:16, 18 10:20 120:14 122:3, 8 named 105:16 names 22:18, 20 122:3 narrative 80:2 natural 79:5 nature 9:23 NE 2:5 near 155:23, 24 nearly 138:14 necessarily 97:8 138:24 152:17 169:21 necessary 162:8 167:2, 12, 20 169:17, 18 170:2, 4 neck 116:5 118:8 need 8:5, 7 10:9, 10 18:4 31:15 35:5 71:7 101:10, 11 114:11 118:4 143:23 145:14 150:24 159:16, 19, 23 needed 94:9 124:22 needs 151:23 negative 147:19, 22, 23 negatively 148:23 neighborhood 15:18 never 15:7, 8 21:19 38:5 58:3 63:8 78:10 79:12 111:1 113:11, 13 114:24 117:8 118:2, 4, 5 145:6 146:11, 22, 23 new 49:18 96:7 101:3 159:12 news 155:3 nice 55:9 142:19 151:22 night 21:21 26:14 36:7 37:13 76:17	117:15 126:24 165:1 Nixon 64:14, 21 78:15, 19 79:3 86:1, 7, 14 94:22 Nixon's 85:18 nod 116:7 no-good 110:14 nonresponsive 29:14, 17 48:21 75:3 normal 23:24 112:5 129:23 135:7 normally 61:8 NORTHERN 1:1 Noted 41:7 132:12 139:5 notes 166:18 Notice 4:10, 17 6:3 127:20 129:8 noticed 22:7 35:2 noticing 6:17 172:16 notified 90:9 number 31:21 99:18 105:4, 5 nurse 124:6 nurses 124:2 nurse's 135:6 < O > O.C.G.A 171:1 172:6, 7, 18 OA 98:12 oath 6:15 146:21 obeying 37:6 Object 164:3 166:5 objected 24:4 objection 6:14, 21, 23 11:15, 25 12:11, 19 19:6 26:10 27:12 32:12 40:7, 18, 21, 25 41:2, 5, 13, 24 42:11, 19 43:4 46:14 49:17 51:7, 24 55:7 65:3 66:9 67:4, 13, 20	68:18 75:20 76:24 81:1, 11 82:4, 16, 17 86:11 87:24 88:4 89:5, 15 92:12 101:23 102:5, 11 112:8 113:3 130:2, 24 132:8, 11, 22 135:12 136:20 137:15 140:4 141:23 147:1 149:1 151:24 162:1 163:4 164:3 167:14, 22 168:8, 17 169:2 objections 7:1, 3 13:7 objective 168:16 169:1, 13, 17 170:10 objects 23:19 obligation 172:12 observe 28:18 29:3 obstructing 24:5 37:6 40:9 obvious 39:4 obviously 92:15 127:12 131:16 153:13 OC 106:3 occasions 76:6 occurred 66:3 occurrence 80:9 129:23 October 1:1 4:12 173:19 offended 149:25 Offense 4:10 13:7 103:8 office 6:20 83:13 131:3 137:16 officer 6:15, 25 7:1, 10 8:19 13:15 14:19, 23 15:1, 2, 12 19:4 24:3 27:11 29:19, 20 32:2 47:21 50:9, 11 52:9, 16 53:11 54:3, 8, 11, 15, 17,
---	--	--	--

19, 24 56:11 59:14, 20 60:4 62:9 63:2, 5, 18 71:8, 10 72:18, 19 74:3, 4, 13 75:19 76:3, 7 80:18 82:19 88:15 99:9 104:16 109:4, 6, 16, 23, 24 110:1, 19 117:23, 24 118:9 119:1, 23 126:14 129:18, 24 130:22 132:14 133:18 134:5, 6 137:8 141:5 142:14, 25 143:11, 18, 22 145:2, 10, 18, 23 146:6, 7, 8, 12, 15, 18, 19, 23, 24, 25 147:14, 15 148:1, 24, 25 149:6 150:8, 9, 14, 15, 21 151:3 158:9 160:10 161:15 162:22 165:23 169:21 170:2, 16 officers 26:8 40:2 50:23 57:15 63:22 67:2, 11 68:1, 9, 16 70:13 72:23 73:9, 13 85:16 125:15 131:21 134:20 137:24 146:2, 3 149:17 150:20 151:2 154:16 167:2, 5, 8 officer's 37:7 62:13 103:21 145:19, 24 167:11, 19 168:3, 5, 24 official 14:22 officials 89:3 Off-the-record 159:24 Oh 31:3, 17 47:22 48:6 76:11, 14 150:13 old 57:1, 2 65:10, 11, 13 124:4, 5	139:24 older 35:6 omit 86:11 93:24 on-and-off 66:17 Once 12:4 19:23 22:13, 17 23:3, 9, 21 24:10, 19 25:2 26:24 29:11 35:2, 11, 15 36:23 37:3, 7 39:7 42:13 45:22 60:15 61:24 62:23 66:10 73:24 88:17 89:7 92:17 95:13 111:2 116:10 119:16 161:9, 11 168:22 ones 129:6 136:11 one's 154:5 one-way 22:15, 16, 18 27:22 onset 94:18 open 83:20, 22 124:25 operating 19:12 64:15 operational 36:8 operator 65:25 opine 32:16 opinion 51:21 opportunities 151:20 OPS 3:11 5:7, 8, 10 45:3 64:4 78:4, 13, 19, 24 83:22 93:11 95:10 96:4 105:3, 8, 15 107:5 112:7, 14 113:22 129:10, 17, 24 130:5, 13, 14, 17, 23 131:11, 19, 25 133:2 160:25 162:11, 21 163:14 165:16 166:2 option 157:19 Oral 98:12, 20, 22, 23 99:4, 8, 16 100:7 104:9 ordeal 119:9	order 28:25 55:1 68:10 170:8 ordering 172:25 orders 34:1 55:19 ordinary 153:21 organization 151:18 153:16 organized 12:8 original 114:4, 6 124:4 173:15 Osborne 9:2 ostracized 146:4 outcome 74:25 173:18 outfit 135:6 Outside 12:8, 13 14:10 33:5 107:8, 9 113:12 131:19 outweighs 106:5 overturn 133:3 < P > P.M 52:13 71:12 120:22 170:24 PA 27:7 PAGE 3:2, 9 4:2 5:2 74:14 84:23, 24 85:25 87:8 92:22 93:22 109:1 127:18, 19 129:1, 14 133:16 139:8 162:18, 21 165:18 pages 87:12 126:23 164:15 173:5 paid 118:3 pain 39:5 43:20 44:15 50:15 55:14, 16 56:3 60:15 61:6 62:22, 23 63:3 144:11 pair 24:7, 8 pandemic 6:9 panel 29:7 papers 84:20 paragraph 165:20 paramedic 61:12 paramedics 61:20	paraphrasing 138:7 parenthetical 93:24 parking 115:6 122:24, 25 PARKS 2:10 7:2 52:19 71:9 part 36:21 59:15 67:25 80:24 81:9 92:2 106:24 122:2 130:5 150:11 participated 147:14 particular 148:16 161:8 162:20 163:7 particularly 57:17 parties 172:19, 25 parts 90:21 91:3 party 7:17 15:25 150:2 172:13, 19 173:17 partying 115:19 passage 119:12, 13 passenger 22:2 23:7 passing 78:8 Password-Protected 172:23, 24 patience 138:15 patient 133:19, 20, 21 134:7, 8, 9 Patrick 14:5 87:8 patrol 21:23 106:20 108:4 patrolling 21:1 Paul 8:18 pause 8:6 paused 56:6 paying 115:6 Payne 60:9, 11, 17 pending 8:8 32:6 people 10:7 11:5 28:13 58:1, 12 60:14 76:16 108:1 119:15 124:11 131:3 134:19 136:14, 15 149:15, 16 153:17, 24 154:6 159:11 perceive 108:1
---	---	---	--

percent 108:19 152:8, 19 153:6	30:21 31:22 32:3, 8 39:11, 20, 24	poke 55:9	151:2
perfect 170:1	40:3 43:14 45:9	poked 125:22	practiced 79:12
Performance 4:3 90:15, 23 138:20	46:5, 22 47:19	pole 131:6	predating 14:1
139:5 141:16	48:1, 11, 23 49:13	Police 4:8 13:15	premarked 46:5
144:23	52:5 53:1, 6 56:6	15:1, 12 23:13	47:19 57:9 69:16
performed 90:19	57:9 63:1, 10, 22	26:9, 15, 22 27:11	prepare 16:6
performing 140:23	64:8, 13 65:18	28:8, 15 40:1, 2, 6	preparing 16:19
period 36:17 73:7	68:25 69:10, 16	50:23 57:15 59:13	present 2:23
74:1 98:24 100:14,	70:24 71:16, 19, 24	62:16 67:2, 11, 19	presented 172:1
15 111:20 138:22	73:15, 18 79:23	68:1, 9, 15 73:9, 20	press 36:8
permitted 6:7	81:18, 21 84:21, 24	79:22 80:2, 24	pretty 20:8 25:4
person 34:18	86:6 89:20 93:11	81:9 82:3, 11, 15	27:25 32:21 33:17
58:20, 21, 22 60:7	97:8, 23 108:6, 21	83:1 85:16 89:14	56:10 75:9 76:17
61:7 89:3 110:14	111:3, 6, 12, 13, 24	99:9 100:6 103:21	98:19 106:1
117:13 120:15	119:23 120:1, 24	104:16 106:17	107:23 121:3
134:15 139:21	122:9, 13 126:19	109:16 118:9	142:14 143:11
140:23 147:20	127:19 135:23	119:1, 6 130:15, 18	149:5
169:22 170:3	138:16, 19 151:13,	131:21 145:2, 10,	previously 157:3
personal 170:11	15 164:24	18, 19, 23, 24 146:2,	162:13, 19 165:18
personally 14:8	planned 78:10	3, 6, 7, 8, 11, 15, 17,	Price 10:24
15:8 30:12 100:22	play 9:3, 4, 5 53:3,	18, 19, 23, 24, 25	prior 5:14
153:12 154:5	6 56:4 75:1, 25	147:15 148:22, 24	privilege 16:10
pertinent 92:23	153:8 157:7	150:8, 9, 14, 15	privileged 82:8
petty 148:4	158:15 159:4, 8	151:7 152:16	137:20
phone 16:17	played 9:5, 8 58:4	154:15 167:1, 5, 8	probably 16:20
115:8 116:1, 2, 22,	plays 39:21 43:15	168:24 169:11	41:15 42:24 72:9
23 119:21	45:16 46:6 47:20	policy 67:7 74:21	74:6, 10, 21, 24
photocopying	49:5, 11 52:7 53:8	75:15 90:1 97:19	76:15, 18, 20 83:6
173:12, 14	56:7 57:10 60:22	118:11 124:15	99:17 121:3
phrase 151:6, 8	62:5 63:12 69:1	Pope 172:9, 16	170:18
physical 117:12	70:3 71:17 81:19	popped 118:21	probation 100:14
physically 15:4, 7	157:9 158:1, 7, 16	portion 30:23	problem 45:12
24:6 32:25 35:5	plead 118:1	position 9:5 30:2	64:5 94:23 126:2
pick 10:9 59:24	please 6:10, 13, 16	134:25	134:22 151:23
95:22, 23 115:7	8:16 10:17 58:19	positioned 116:4	152:16 153:8
116:24 128:8	71:11 150:23, 25	positions 131:25	problematic 152:12
picking 36:3	plenty 144:16	possibility 30:8, 9	problems 95:2, 5
pictures 8:1	point 23:6 24:4	possible 32:14	Procedure 6:7
piece 110:6	28:1 33:19 35:19	35:22 40:10 41:19,	171:1
place 68:14 94:2	36:23 37:1, 8 42:2	22 43:2 62:3	procedures 19:12
118:21 149:19	46:1 60:13 61:3	66:15 74:17 94:8	proceeding 2:24
153:15 172:17	66:23, 25 67:23	143:17 155:20	14:23 172:1, 20, 24
places 8:10	79:2 118:14 124:6	167:10	proceedings
Plaintiff 1:1 2:2	133:2	possibly 37:13, 14	172:10 173:6
3:10 6:19 15:25	Pointe 2:5	74:16 160:21	process 123:5
Plaintiff's 3:22	pointed 118:19	pounds 106:6	128:23
5:11 17:17 18:2	124:22	practice 79:10	produced 126:24
		131:18 150:20	164:25 172:20
			profanity 124:2

Professional 83:13 140:17 141:6, 20 142:17 172:12 Professionalism 142:3 prohibited 172:17 prohibitions 172:7 proof 25:19, 22 26:1, 7 29:23 properly 65:25 property 115:17 Proposed 4:10 112:15 pros 104:1 prosecute 123:12, 14, 19 proud 155:5, 6 prove 25:9, 12 96:10 provide 172:16 provided 165:23 provoke 13:5 pull 21:5, 6, 7, 10, 13, 16 27:18, 20 30:20 64:7 85:22 96:15 121:6 122:9 126:7, 17 156:21 162:14 pulled 117:3 118:19 124:17 pulling 114:23 punished 104:22 punishment 96:22 97:6, 10 100:6, 17 103:15, 17 104:12 118:12 purposes 6:7 Pursuant 2:22 6:3, 6 170:25 push 107:18 124:23, 24 pushed 24:6 37:3 45:23 106:10 115:17 124:16 127:14 142:24 pushing 56:10 115:15 142:14 143:11 161:4	put 24:7, 8, 21 27:2 43:9, 17 54:19 63:6, 7 109:25 115:10 116:4, 5 117:5, 10, 19 118:8 119:4 125:11 140:25 149:6 150:2 151:17 161:11 164:21 putting 61:6 143:18 < Q > qualifications 32:16, 19 quarterbacking 37:13 question 8:2, 4, 8, 9, 13 9:19, 21 10:7 12:7 26:14 32:6, 9 36:7 40:21 41:9 48:10, 19, 21, 23 49:13 51:19 53:10, 11 55:25 56:18 59:17, 18, 19 67:11 68:8 73:24 78:17, 18 82:1, 10, 12, 13, 24, 25 86:10 87:13, 15 88:8, 11 89:6 101:16, 20 131:1 132:15, 16 133:15 134:4 137:5, 10, 22 138:3 144:17 147:11 150:24 156:17 166:6 168:2, 23 questioning 160:24 questions 7:25 46:17 52:16 79:7, 11, 21 127:9 151:12 155:13, 15 157:8 159:3 166:19, 23 172:21 quick 8:7 17:15 35:3 40:10 120:19 121:3 155:20 159:8, 18, 20	quicker 38:2, 3, 4 50:22 94:10 quickly 154:9 quite 56:18 107:5 155:19 quote 80:3 < R > radio 22:21 23:9 33:7 93:6 rain 38:4 raining 23:20 94:11 raised 86:11 rammed 126:10 ran 23:7 34:4 115:11 123:17 127:13 rapper 124:5 rarely 77:23 rat 146:8, 10, 15 147:24 rater 139:22 rating 139:21 reached 116:1 reactivating 71:20 read 64:19 66:4 86:12 104:24 109:9 162:20 163:2 165:20 reading 85:9 Reads 31:19 ready 16:13 19:12 real 17:15 115:5 149:25 159:7, 20 realize 37:19 42:8 61:23, 24 76:11 117:3 realized 23:3 66:23 116:2 124:20 really 23:13 24:9 31:13 32:9 42:1 73:13 76:14 77:8 78:9 79:8 99:4 103:18 112:10 131:1 133:4 136:25 137:7, 9	139:2 149:14 153:1, 19 reask 8:4 32:7 137:12 reason 10:8 24:23 34:23 35:8 36:12 42:17 51:13 59:9 64:15 67:15 103:16 110:14 reasonable 167:5 168:10, 11, 13, 16, 25 169:22 170:3, 9, 10 reasonableness 169:13 reasons 160:18 recall 12:13 31:9 35:1 37:21 38:18 74:7 77:8, 13 79:4, 9, 14 80:22 81:23 83:4 105:15 108:2 109:13, 14 110:14 111:10 112:3 114:9, 20 120:6, 13 122:20 127:12 136:12 145:9 153:19 recalled 81:7 83:11 receive 100:21, 22, 23 162:5 received 84:6 99:8 receives 172:19 reckless 117:10, 12 reckoning 98:23 100:14 recognize 122:7 recollection 72:25 73:4 recommend 129:24 Recommended 98:11 102:22 166:2 recommending 111:13 132:5, 18 reconvene 120:19 record 6:14 8:14, 17 31:18, 19 35:14 36:22 51:20 52:13
---	--	--	---

71:9, 11, 12 82:23 86:12 93:24 120:22 150:9, 14 155:11 164:22, 23 172:10, 11, 21 173:9 recorded 96:20 recording 35:1, 21 94:19 96:20 recruit 13:23 149:24 recruits 62:16 redo 134:4 reduce 103:3 reference 60:11 referred 146:8 referring 59:21 136:1 reflect 164:23 reflecting 23:19 refuse 150:20 151:2 regarding 91:13 111:7 112:2 121:19 regrets 155:7 regular 141:17 Regulations 2:22 172:5 rehearsed 79:12 relate 91:24 127:1 related 129:3 relating 172:24 relation 139:23 relationship 10:20 172:10 relative 173:16 relay 92:23 reliable 103:21, 24 remember 15:16 18:21 19:8 24:1 26:20 34:24, 25 38:11 39:7 66:22, 25 99:16 105:25 106:24 110:15, 17 114:23 118:11 121:4, 22 123:6, 20 135:5 142:12, 16	143:25 remembers 83:6 REMOTE 2:1 10:11 repeat 68:6 102:7 103:10 147:11 150:24 156:17 167:16 168:20 repeated 109:6 repeating 147:10 168:22 rephrase 8:4 168:20, 23 169:20 Report 3:11 4:10 5:7, 10 28:15 66:1 79:22 80:2, 24 81:3, 9 82:3, 11, 15 83:2 90:3, 6, 9, 12, 13 98:8 125:16, 25 145:10, 18, 23 172:11 reported 14:19 147:16 152:7 Reporter 1:1 2:23 6:10, 12 7:4 31:19 172:1, 3, 7, 8, 21, 22 173:22 Reporting 2:22 89:22 146:18, 25 149:16 172:6, 9, 16 reports 146:7 152:20 repository 172:24 represent 7:11 173:5 representations 172:4 representative 165:24 Represents 140:16 reprimand 98:23 100:3, 5, 10, 22 101:19 requesting 112:1 required 90:12 91:21 167:4 requirement 14:15 reserved 171:2 resist 54:24	resisting 44:25 45:1 respect 141:11 respond 22:11 responded 47:1 52:10 53:13 responds 86:7, 17 87:18, 19 Response 3:22 53:18 165:24 responses 17:12 18:7 restroom 114:11 result 120:2 133:21 134:9 retaining 21:14 23:4 28:25 return 163:19 review 18:6 19:11 120:15 122:14 128:12 140:1 144:23 163:22 166:18 172:1 reviewed 16:25 17:11 18:9, 11 reviewer 128:12 reviewing 18:3 129:16 139:21 141:6 162:23 165:21 revive 135:22 revived 126:13 135:21 ribs 110:22 Ricky 105:14, 16, 24 106:4 107:2, 8, 10 108:3, 10 111:1, 8 112:2 120:10 136:7 rid 60:15 69:7 rifle 114:21, 23 116:7, 9 118:15, 19 119:10 right 7:10 12:6 16:3 17:14, 17 20:12 22:6, 15 23:2 25:7, 20 26:9 28:16 29:9 32:2 33:3 34:7, 12, 16	36:19 38:7 39:9, 15, 19, 23 41:7, 23 43:3, 13 44:13, 25 45:5, 8 46:3 47:8, 16 48:2, 10, 12, 18 51:15 52:4 53:6, 10 55:22 56:4, 5 57:13, 24 59:12 60:25 61:22 62:4 63:9 64:17, 22 65:17 68:22, 24 69:13, 15 70:21 71:25 72:22 74:15 80:1 81:10 83:12 84:15, 20, 22 85:22 86:3 88:3 89:20 90:22, 25 91:5, 14 92:21, 22 97:23 100:25 101:25 102:10, 12, 14, 19 104:9, 13 105:5, 12 107:16 108:6, 20 109:2, 21 110:5, 21 114:15 115:23 116:15 118:13 120:3, 16, 18, 21 122:12 125:7 127:17 128:19 129:13 130:15 131:5 134:20 135:23 137:8 138:14, 25 139:8 141:7, 17 144:2, 19 145:6 146:21 148:12 151:11 152:5 154:17 166:23 169:1, 10, 25 170:4, 5, 14 rightee 114:18 rightfully 118:10 right-hand 69:9 70:17 rights 150:22 151:4 RMR 1:1 173:22 road 23:8 33:6 rod 31:10 Rogers 10:22, 23 role 58:4
--	---	--	---

room 131:21 134:18 round 118:15, 16, 18, 23 roundabout 113:17 routes 22:19 rude 13:5 rule 89:22 91:9, 20 97:10 98:4, 5 99:19, 20, 22 101:16 102:18 103:11 104:2 129:19 162:25 170:25 Rules 2:22 6:6, 7 7:24 75:12, 13 92:5 94:3 101:2 170:25 172:5 ruling 130:9 rulings 132:25 rumors 149:19, 20 153:17, 22 run 20:25 28:10 123:15 running 34:25 36:9 90:2 Rushed 115:9 < S > safe 160:19 Safety 9:7 satisfactory 90:24 save 69:4 saw 23:24 25:6 29:5, 6 33:24, 25 34:11 48:13 53:3 62:22, 23 87:1, 16, 19 88:18 113:11 118:4, 5 119:6 145:3, 11 160:6 166:9, 16 saying 58:11, 14 59:8 60:3, 17 61:5 78:9 94:15 151:22 158:23 163:20 169:19 170:1 says 30:25 64:15 65:20 69:11 71:24 80:3 82:2, 14 83:1	85:3 86:4 87:11, 13 89:21 90:8, 14 91:7, 19 92:23 93:25 94:16 98:3, 4, 12 99:20 100:11 104:2 108:15 109:3, 22 110:5, 19 111:16 126:2 129:4, 16 133:17 134:6 138:22 140:15 142:3, 6 144:23 151:18 152:5 162:21 165:21 scale 100:6 scan 31:2, 6 scene 38:22 39:1 68:17 119:16 123:8 124:6 126:1 158:10 school 9:1, 2, 3 11:14 scream 44:15 screen 17:15, 18 30:22 31:23 32:3 39:12 45:10 64:9 65:17, 18 69:7, 22 70:22 71:15 79:24 108:7, 21 111:4 119:24 120:25 122:10 126:20 134:1 138:17 140:13 156:23, 25 157:17 160:3 162:15, 16 165:15 screw 96:1, 14, 16 147:20 screws 31:10 scribble-scrabble 101:6 scroll 17:22, 23 86:3 87:12 141:15 seal 173:15 seat 23:7 73:20 sec 85:6 second 17:16 35:7 49:10, 15 101:19 105:23 109:1 121:15 165:20	seconds 157:6, 24 159:19, 20 166:18 section 140:21, 25 141:7, 22 secure 33:5 security 115:15, 21 116:3, 13 119:2 see 15:24 17:17 23:2, 14, 17, 21 27:3 30:21, 23, 24, 25 31:3, 5, 10 32:2, 22 33:16, 20 34:14 37:1 39:11, 13, 16 42:23 44:8 45:10 47:23, 25 48:3, 7, 13, 14 49:8, 9, 10 52:25 55:10 63:18 64:8, 11, 12, 13, 18 65:17, 20 69:10, 17, 18, 20, 24, 25 70:22 71:23 73:14, 18, 20, 21 79:23 80:2, 7, 20 81:21 83:4, 8 85:3, 24 86:4, 8, 21 87:7, 10, 11, 13, 20, 22, 23, 24 88:1 89:21, 24 90:16, 17, 21 91:10, 11, 22, 23 92:17, 22 93:2, 22, 25 94:16, 21 95:19, 20, 21 98:3, 4 99:19, 25 100:1 101:4, 5, 14 102:23, 24 104:2 108:6, 15, 17, 20 109:2, 3, 10, 21 110:2, 5, 8, 19, 23 111:3, 10 116:3, 6, 9, 17, 18 118:1 119:5, 18, 23 120:10, 24 121:7, 8, 13, 15, 17 122:10, 11, 12, 16 123:15 126:19 129:13, 14 130:11 131:9 133:17 134:2, 5, 11 135:9 138:9, 14, 16, 22 140:12, 15, 17, 21 141:12 142:2, 4, 5 149:9, 13 151:13, 18, 21 152:5, 10 156:5, 22, 24 162:16 seeing 19:8 24:1 39:7 81:23 98:17 111:11 seen 15:2, 4 17:21, 25 18:16 19:3 31:4, 6, 9 32:19, 23 35:20 45:22 57:25 58:1 60:9, 17, 18 63:2 85:5 90:2, 21 97:23, 25 98:17 108:9, 12 111:6, 24 113:11 129:4 132:4, 18 145:6 147:14 150:8, 14 154:3 send 77:18 129:10 Senior 13:15 senior-ranking 89:2 sense 110:4 141:10 sent 131:10 152:24 163:15, 17 166:9 separate 18:22 35:23 97:17 September 4:21 Sergeant 139:22, 23, 24 140:10, 24 141:10 sergeants 131:5 serious 58:2 100:7, 9 103:8, 14 144:7 seriously 51:5, 22 55:6 serve 9:15 served 9:13 serves 130:14, 18 service 9:17 94:18 services 172:16 session 165:24 set 71:2 seven 152:20 severe 103:15, 17 123:6 severely 61:24 shake 109:25 shaking 126:1
--	---	---

<p>share 17:15 31:23 71:14 73:14, 15 156:22 157:14, 17, 19, 23 162:15 164:12 165:15 sharing 157:22 160:3 shattered 115:2 shelter 107:9, 10 shift 159:11 shirt 80:5 shit 110:6 shooting 15:17 short 117:22 Shortly 37:18, 19 shoulder 24:1 124:16 149:24 shove 24:2 108:3 shoved 102:16 115:16 shoves 101:20 102:8 shoving 115:15 124:18 show 7:25 39:9, 20 45:8 46:3 47:18 52:4 57:8 63:9 68:22 69:15 70:21, 24 71:15 81:17 84:20 86:12 96:16 119:5 162:10 showed 18:12 56:21 59:22 69:18 96:18 showing 19:4 29:20 43:14 54:9, 11 103:24 143:19 shown 30:18 shows 71:20 84:25 95:13 96:18 120:1 shuffled 8:22 side 21:20 42:3 73:21 78:24 110:21 sight 22:25 sign 23:8 signature 171:2 173:15</p>	<p>signed 4:12, 19 84:4 96:7, 8, 24 signs 33:6 silence 151:7 simply 156:11 Simsell 160:10 sir 6:12 8:21, 25 9:11, 12, 17, 21, 22 10:5 11:3 12:3, 20, 24, 25 13:1 14:2, 4, 7, 9, 18, 21, 25 15:4 16:2, 25 18:1, 5 19:13 20:19 25:10, 15 26:24 27:4, 6, 8, 14 30:4, 11, 14, 24 31:3 32:4 33:4 34:5, 9, 10, 20 35:25 36:10, 16 37:18 38:15 39:12, 25 40:15 41:9 43:6, 19, 22, 25 44:2, 11, 14, 17, 20, 23 45:1, 10, 11 46:11, 21 47:3, 6, 14 48:1, 10, 19 49:13 50:16 51:1, 4 53:10 54:14 55:24 57:19, 22 58:6, 15 59:17 61:12 62:7, 18, 20 64:3, 6, 18, 20, 23 65:5, 8, 10, 18, 19 66:4, 5, 6, 12, 19, 25 67:1, 7, 16, 25 68:20 69:12, 14, 17 70:1, 10, 11, 23 71:15 73:6, 11, 21, 22 74:11 75:1, 7, 15 76:5 79:12, 17, 20, 23 80:7, 10 81:9 83:15, 18 84:4, 14 85:10, 14, 17, 21 86:2, 9 87:6, 10 89:24 90:17 91:15, 18 93:18, 21 94:4, 7, 21, 24 99:6, 13 100:4, 9, 13, 24 101:1 103:4, 19, 22 104:3, 20 108:22</p>	<p>109:10, 18 110:2, 4, 8, 23 111:3, 5, 10, 16, 19, 23 112:10 113:7, 14 114:20 118:16 121:1, 11, 21 122:11, 17 127:16 128:1, 20, 22 129:5, 20 130:20 131:23 134:13 138:15, 21 139:1, 7 140:14, 19, 22 141:1, 8, 13, 18, 25 142:4, 8, 11, 16 144:3 145:7 151:5, 21 153:1 155:9, 12 167:3, 7, 10 siren 27:5 sit 44:18 56:13, 19, 24 94:14 153:5 sits 100:13 sitting 73:19 153:5 situation 40:4 57:3, 7 60:1, 16 62:15 63:24 167:9 sjmiller@atlantaga. gov 2:13 skid 54:4 skip 122:1, 2 sky 118:19 slowly 17:23 slur 47:5, 10, 14 slurring 44:9, 12 47:7, 12, 15 Smith 147:20 snitch 146:9, 11 147:24 so-and-so 148:1 sober 125:13 sobriety 14:17 social 135:1 socially 77:22 solar 29:7 solely 172:13 somebody 21:16 117:11 118:22 147:16 149:12 154:19</p>	<p>somebody's 21:15 23:4 28:4 40:9 59:8 someone's 103:25 soon 35:22 51:16 52:21 62:3 94:8 143:17 SOP 100:16 soreness 110:22 sorry 10:24 12:23 18:10, 24 31:24 34:11 42:8 53:18 56:16 58:19 67:5 73:3 78:15 85:8 88:6 95:4 99:3 102:2 103:9 121:23 125:6, 9 127:24 130:16 133:7 134:1 136:3, 21 139:11 148:10 150:23 159:10 160:2 164:14 169:7 sort 7:24 20:14 40:5 53:23 100:5, 6 131:21 147:9 148:21, 24 149:14 153:22 sound 35:23 36:9, 18 58:3 157:10, 12 sounded 58:10 sounding 59:12 sounds 59:25 112:4 span 43:6 speak 8:11 19:14, 18, 21 20:7 71:8 72:11, 16 76:3, 6, 15 109:16 126:8 152:2 153:1 speaking 16:7, 13 72:18 96:5 136:22 special 9:7 specifically 19:25 78:18 172:5 speculate 76:10, 22 77:6 speculating 77:9</p>
--	---	--	---

<p>135:16 speculation 79:6 spelling 133:22 spend 16:13 170:19 spending 117:15 spent 16:18 spinning 25:1 SPO 13:20 14:5, 8 65:21 66:1 82:19 87:2, 18 88:20, 24 92:23 94:1, 17 114:14 155:18 166:20 170:21 spoke 16:24 20:2 72:23 73:1, 5 76:9, 15 113:19 135:25 155:22 spoken 84:1 136:6 162:13 sports 9:3 spots 30:18 spray 106:3, 12 sprayed 106:8, 11 STACI 2:7 6:22 157:10 stamp 69:13 71:23 stand 48:2, 12, 15, 24 49:1, 3, 15, 20, 22 50:3 165:6 standalone 144:21 standard 19:11 168:16 169:1 170:11 Standards 83:13 141:16 standing 15:8 33:20 44:3, 5 45:21 46:1 48:16 50:6 61:22 74:2 75:19 80:14, 19 135:1 167:12, 20 168:6 standstill 38:14 start 7:13 13:23 45:19, 25 53:2, 5 71:2, 5 94:18 125:10 157:5</p>	<p>started 33:21 45:22 109:7 115:20 116:24 124:1 127:11 starting 165:20 starts 125:5 state 6:14 8:16 109:23 150:8, 14 172:8 173:2 state-approved 21:25 statement 2:23 109:6, 10 110:3 114:2, 3, 4, 5, 7 117:18 142:10, 22 143:12, 13 144:5, 13, 18, 20, 21 152:14 166:4 168:7 statements 108:24 128:10 143:2, 4, 9, 10 153:18 STATES 1:1 static 102:4 station 122:23, 24 statistic 152:11 153:3 stayed 33:2 106:11 115:24 Steed 4:16 stood 43:19 stop 21:4 23:13 31:15 40:13, 17 41:12, 23 109:24 157:22 158:2 160:3 stopped 32:7 stops 21:2 store 123:2, 3, 4, 10 stories 68:3, 10, 13 73:9 74:4, 8, 13 story 21:21 96:11 107:15 117:22 149:21, 25 straight 22:16 23:3 28:24 44:4 68:3, 10, 13 106:22, 23 107:3 124:9</p>	<p>street 22:15, 16, 18, 20 27:22 streets 159:14 strike 29:9, 16 48:20 75:2 78:16 136:5 strong 160:22 stronger 58:24 59:5 struck 29:8 struggle 106:19 107:23 stuck 96:11 110:18 study 152:2 stuff 23:19 58:4 59:9 92:16 94:12 115:19 117:2 124:7 126:23 149:5, 16 154:1 subcontractor 172:9, 14 subjective 167:12, 20 168:3, 5 169:12, 16 submitted 2:23 172:21, 22 substance 16:11 substantive 52:15 success 120:12 sudden 109:19 sued 26:8 suffered 65:23 suggest 153:7 suggesting 127:21 Suite 2:12 summarizes 64:14 supernice 142:24 supervisor 90:9 92:24 93:3, 13, 17, 20 104:19 125:25 139:24 supervisors 93:7 133:11 159:6, 12 support 166:15 supported 166:1 supports 92:10 supposed 22:15 35:14 67:8, 10</p>	<p>93:16 94:6 124:6, 25 130:7 Sure 6:18 10:10 16:25 38:15 41:22 45:24 49:23 50:5 68:5 70:16 72:14, 23 73:9 74:5, 9, 14 76:5 77:11 78:25 98:9, 19 99:12 102:7 116:14, 19 117:16 122:22 125:15, 22, 24 126:12 130:17 137:4 138:3, 4 139:20 141:4 142:21 143:7, 8 145:4, 15, 22 147:5, 7 148:1 150:4, 13, 16 151:1, 5 152:13 153:2, 20 156:17 160:18 165:8 167:19 168:19, 22 surely 145:9 surgery 31:7 surprised 77:15 surveillance 20:25 128:9 suspect 33:18 75:8, 9, 11 122:23 124:15 suspended 97:2, 4, 15 111:14, 17, 20, 23 120:2, 4, 5, 7 128:3, 4, 18 suspension 102:22 103:1 127:21 sustain 131:12 163:7 sustained 84:10, 13 85:12 89:22 90:5, 11, 14 91:8, 17, 20 92:25 103:6, 12 107:17 108:14, 16 112:2, 4, 18, 19 113:16 129:4, 11, 25 131:11 132:7, 19, 20, 21 161:2, 4, 7, 19, 20 163:1</p>
---	--	---	---

166:1 sustaining 129:18 SW 2:11 swear 6:10 swerve 22:9 swift 154:9 swipe 37:7 swiped 34:3 42:3 swiping 86:19 switch 65:12, 13 switched 66:17 95:14, 16 sworn 7:6 system 27:7 systemic 152:16 < T > T08:11:00 69:11 T08:11:16 70:18 T08:12:42 71:24 tackle 37:2, 4, 15 42:24, 25 55:23 56:2 94:19 tackled 18:17 24:6, 10 34:4, 21 37:17 40:17 41:12 42:10 44:7, 10, 16, 24 61:16, 17 86:18, 20 138:24 tackling 9:8 40:14 44:19 54:8 92:25 153:13 take 8:5, 7, 9 38:9, 10 40:10 60:8, 14, 21 68:24 71:7 80:15 82:16 101:10, 11 106:13 108:18 117:5, 14, 24 120:18 123:19, 24 124:8, 22 143:16 153:4 159:16, 18 taken 6:3, 4, 6, 8 7:14 17:10 25:5 144:8 145:15 154:9 166:25 173:6 talk 20:4 60:14 68:16 72:20 74:7	78:4, 10, 21 79:2 105:14 128:9 talked 19:22 74:7, 10, 11, 13 78:25 79:11 117:4 136:11 talking 38:21 39:14 46:10, 15 54:3 56:17 57:4, 7 60:12, 18, 20 70:7 78:12 91:4 92:3 109:5 127:2, 4, 11 136:24 137:2, 3 149:22 158:25 161:7 taller 106:5 tap 35:13 tapped 35:17 116:6 119:4 tase 37:14 taught 169:10, 11 teach 40:5 62:16 teams 9:7 technique 154:6, 20 tell 7:24 11:24 12:4, 15 16:15 17:8 21:20 33:23 41:23 51:12 57:23 59:5, 7 62:12, 13 64:4 66:13, 14 71:7 81:14 83:9 93:3, 16, 20 101:9 104:18 109:13 113:21 121:13 122:18 137:17 148:24 149:3 150:16 156:14, 18 158:18 telling 24:2 56:15, 17 58:20 115:25 143:15 tells 95:21 143:22 temper 12:18 ten 31:10 term 146:10 147:23 terms 172:14 terrible 78:16 test 14:17 117:16	testified 7:7 14:22 80:11 147:17 testifies 146:7 testify 79:15, 18 88:20 145:1 146:3 testimony 62:8 66:21 85:15, 19 87:2, 25 88:16 93:10 103:21, 25 155:21 161:1, 2 text 77:18, 22, 25 86:4 92:22 93:23, 25 94:16 95:10 109:3, 21 122:16 129:15 133:17 Thank 7:4 9:17 10:6 13:2, 11 31:20 32:5 101:7 113:15, 17 118:13 120:21 125:19 137:21 170:16, 21, 23 thanks 155:18 thefts 20:23 theirs 70:16 thereto 173:15 thing 24:25 25:25 28:20 40:5 52:24 56:20 72:6 84:6, 7 99:11 118:7 124:3 149:14, 18 things 76:20 98:2 103:5 107:20 108:25 130:19 143:21 145:14 165:5 think 13:21 15:17, 18, 19 16:24 18:8, 11, 22 20:2, 3 24:24, 25 25:10 26:19 30:12, 14 31:8, 13 32:9, 14 33:14, 15 36:3 39:23 40:1 44:18, 21 47:21 51:1, 2 53:3 55:9 58:4, 17 63:25 73:11, 14, 18 74:8 75:16, 23, 25 77:9, 17, 23 78:6	79:5, 8 83:9 84:10, 13 85:5 86:5, 15, 23 87:14, 19 88:16, 23 89:17 90:8 92:16 93:5, 10, 13 97:25 98:17 103:19, 23 104:1, 21 106:21, 22, 23 107:21 109:20 110:11 120:4, 6, 7 126:14 129:5, 9 132:8 134:17 135:9 138:11, 13 142:9, 20, 21 143:2, 4, 8, 12, 15, 19, 24 144:4, 10, 13, 16, 18, 19, 22 145:14, 20 147:25 148:7, 13, 15 149:4 150:17 155:24 156:9 158:12, 14, 22 159:14 165:3, 4 170:13 thinking 51:11 89:8 117:25 129:9 135:1 third 35:7 third-party 120:14 THOMAS 2:4 thought 44:25 45:3 48:16 77:9 89:4 118:22 141:19 145:11 157:21 threat 37:8 40:11 41:16, 17, 20 42:13, 18, 23, 24, 25 43:7 87:1 88:19 89:9 92:18 154:8 161:10, 12 threats 115:20 three 10:25 18:22 60:2 101:12 102:22 103:2 105:6 115:16, 19 116:4, 10 120:2, 4, 7 136:7, 8 161:18 throw 106:16
---	---	---	--

<p>Thurmond 127:1, 13 135:25 136:6 162:13</p> <p>Thursday 20:3</p> <p>ticket 117:19, 22, 25 118:3</p> <p>time 15:6, 11 16:12, 15 18:19, 22 20:2 22:8, 24 27:23, 25 34:14, 19 38:24 43:6 44:10 47:16 49:15 51:19 52:17 65:22 66:2 69:13 71:4, 23 76:4 78:3 79:15, 18 82:24 85:5 90:1, 20 93:7 94:5, 7, 14 97:12 98:17, 18 101:7, 8 104:24 105:24, 25 106:10, 12 108:13 110:13 111:21 115:3 117:1 118:10 121:6 122:23 128:4, 6 132:4 140:1, 10 143:6 147:5, 25 150:17, 23 156:2, 7 158:9, 24 163:21 170:17, 20 172:19</p> <p>times 11:21 24:5 28:14 61:16, 17 76:9, 10 99:7 105:2, 4 110:20 118:17 167:25</p> <p>tired 107:2</p> <p>tires 25:1</p> <p>title 13:14</p> <p>today 16:6 44:18 46:15 56:13, 19, 25 62:8 80:9 153:6 155:19</p> <p>toddlers 11:12</p> <p>told 40:16 41:11 57:12 64:14, 21 94:22 95:2, 5 97:18 106:1 107:12 109:4, 23 115:6, 22 116:9, 10</p>	<p>117:21 125:7, 10 127:13 144:1 147:17, 21 154:24 163:24</p> <p>tolerate 53:23</p> <p>tolerated 89:13</p> <p>Tom 6:20</p> <p>tom@butlerfirm.com 2:7</p> <p>tone 23:23, 24</p> <p>Tony 147:21</p> <p>Toomer 122:4, 6</p> <p>T-o-o-m-e-r 122:6</p> <p>top 27:2 61:2 65:12 106:16 148:7, 12, 15 151:18</p> <p>tore 122:24</p> <p>total 152:8 173:4</p> <p>totem 131:6</p> <p>touch 19:24 54:23</p> <p>touched 107:24 149:24</p> <p>tow 24:20</p> <p>towed 24:14</p> <p>traffic 21:2, 4</p> <p>trainers 149:22</p> <p>training 14:3, 12 149:23</p> <p>transcript 172:20 173:4, 6, 8, 13</p> <p>Transcripts 172:20, 23</p> <p>transmission 139:9</p> <p>transport 38:2, 19 62:2 63:17 99:22 101:18</p> <p>transportation 156:11</p> <p>transported 106:21</p> <p>trash 122:25 123:1</p> <p>treated 83:14 155:8</p> <p>treating 89:18</p> <p>treatment 50:22 125:12</p> <p>Treats 141:11</p> <p>trial 6:8 10:9</p>	<p>tried 23:8 49:1, 2 66:23 106:10 109:24 117:5, 9 119:16 135:15</p> <p>Trinity 2:11</p> <p>trouble 44:6 80:12, 13</p> <p>true 45:18, 19, 24 54:7, 10, 14 58:6 66:6 81:10, 13 107:14 110:3, 24 134:12 140:23 142:9 145:25 152:12, 13, 15 172:20 173:5, 8</p> <p>trunk 116:7</p> <p>trust 82:2, 11, 14, 25</p> <p>truth 150:3</p> <p>try 28:10 48:15 62:21, 24 63:2 69:24 155:19 157:14, 22, 23 168:22</p> <p>trying 13:5 20:22 21:9 22:11, 13, 21 23:2 27:23 28:5 33:5 49:21 50:4 51:9 57:3, 6, 22 58:7, 9 59:3, 4, 5, 10, 11, 23, 24 60:16 61:3, 9, 10, 22 62:12 63:14 106:7, 15 156:11 158:13 159:15</p> <p>T-shirt 116:18</p> <p>turn 22:6, 25 24:17 35:11, 18 36:8 65:14 66:24 67:3, 11 68:16 75:5 116:8 156:1, 7</p> <p>turnabout 115:14</p> <p>turnaround 115:14</p> <p>turned 22:10 35:6 36:19 62:1 72:2 73:8 74:2 96:14, 20 119:20 155:23</p>	<p>turning 68:2, 9 155:22</p> <p>twice 35:14 36:22 109:6</p> <p>two 13:22 16:21, 22 18:23, 24, 25 19:2 24:7 26:7 30:18 35:15 36:23, 24 72:3, 15, 21 75:18 78:1 87:11 89:2 101:12 103:3 115:24 126:15 128:11 160:19</p> <p>two-day 127:21</p> <p>two-minute 36:17 73:7 74:1</p> <p>TYLER 1:1 6:4 7:12 91:13 120:10 122:3, 5, 22 136:6 154:16</p> <p>Tyler's 78:14</p> <p>type 65:23</p> <p>typically 98:20</p> <p>< U ></p> <p>Um-hum 47:13 159:5</p> <p>unable 28:5, 7</p> <p>unarmed 115:15, 21</p> <p>unconscious 126:11 135:20</p> <p>undercover 25:17 26:24</p> <p>undergone 14:3</p> <p>Underground 114:22, 24 115:4, 5, 13 119:10 120:3</p> <p>underneath 99:19 113:6, 7 131:4 142:6</p> <p>understand 8:2 13:10 17:3 38:15 56:23 58:13 59:18 62:7 92:9 95:9 98:15 123:9 128:2 137:6, 7, 11 138:3 168:19</p>
--	--	---	--

understanding 17:6, 9 55:10 98:22 100:2, 3 112:15 169:15	161:1, 8, 13, 23, 24 164:10 167:2, 4, 5, 13, 21 168:6, 15, 25 169:11 170:8	155:18 158:9 162:23 165:23 166:20 170:16, 21	wagon 63:16 101:21 102:9 160:6, 9, 11, 14, 19, 20, 23
understands 137:9, 10, 13	use-of-force 14:3 87:3 152:7 153:7 161:16 164:1	VIDEO 1:1 3:13, 14, 15, 16, 17, 18, 19, 20, 21 5:6 18:21 29:20 34:5, 12, 13, 14 36:8, 9, 18 39:9, 13, 19, 21 43:13, 15 44:17 45:9, 13, 16 46:4, 6, 10, 15, 18, 24 47:3, 4, 18, 20 48:11 49:4, 5, 8, 11, 14 50:6, 14 51:3 52:5, 7, 11, 25 53:8 54:3 56:5, 7, 20 57:8, 10 59:21 60:21, 22 62:4, 5, 9, 25 63:10, 12 68:23 69:1, 4, 18 70:3, 18 71:15, 17 80:8 81:5, 17, 19 87:17 103:24 125:21 143:25 153:12 154:4 155:2, 5 156:24 157:6, 7, 9 158:1, 7, 16 159:1 160:2, 3, 5 172:9, 16	wagons 63:17 wait 8:12 28:2, 8 38:18 94:14 waited 128:7 waiting 122:21 walk 19:5 48:2, 12, 24 49:2, 15, 22 50:4, 12, 18 51:6, 10, 22 52:2 62:21, 24 63:2, 8 116:16 119:9 160:21 walked 116:13, 20 119:13 walking 19:8 39:5, 8 61:21 116:24 124:14 wall 21:14 23:4 29:1
Unh-unh 157:13	user 35:10 64:24 95:8, 11, 12	103:24 125:21 143:25 153:12 154:4 155:2, 5 156:24 157:6, 7, 9 158:1, 7, 16 159:1 160:2, 3, 5 172:9, 16	want 7:13 10:15 11:7 16:12 17:7, 8 32:18 36:22 37:13 39:9 53:3 68:22 72:13 75:6, 14 79:21 98:1 105:6, 19, 22 106:8 107:23, 25 108:25 116:11 119:19 121:2, 3 123:11, 18, 23 127:14, 17 129:21 140:25 143:6, 15, 16 144:12 145:15 147:5, 22, 23 155:21 156:15, 19 164:21, 23 169:20 170:16
unit 19:23 20:21 21:5, 6, 7, 12, 15 22:11, 22 27:20 38:2, 22 95:17 97:17, 18 128:5 139:25	Usher 105:14, 16, 18, 24 106:4, 13, 14 107:8, 10, 18 109:4, 7, 12, 22 110:11 111:8, 21 112:2 120:11 136:7	VIDEOTAPED 1:1 view 33:11 viewed 148:23 violated 92:5 150:21 151:4 violating 89:22 91:20 92:6 violation 91:12 94:2 100:15, 16 105:24 128:3 132:9 violations 97:10 103:12 132:6, 18 violence 152:16 vitals 124:7 volume 36:3	wanted 21:5 63:7, 8 70:16 137:15 160:18, 20 warming 107:10 warning 109:22 warrant 123:18, 19, 20 watch 18:13 159:7
UNITED 1:1	Usher's 111:18	< V > vehicle 21:4, 6, 24 22:11 23:7, 14, 16 24:13, 17, 21 25:13, 17 26:18, 22, 25 27:5 28:13, 22, 24 29:8 33:5, 15, 18 61:25 62:1 63:14 73:20 107:19 vehicle's 23:18 verbal 23:12, 23 103:25 104:4, 8 verbally 118:25 verbatim 172:11 version 105:20 versus 6:5 162:19 vicinity 70:13 VICKERS 1:1 3:3, 22 4:3, 8 6:3, 25 7:5, 10 8:18, 19 11:9 29:20 32:2 42:9, 16 47:21 52:16 65:21 66:1 82:19 86:6, 15 88:15 92:23 94:1, 17 109:4, 6, 23, 24 110:1, 19 114:14 119:23 126:14 129:18 132:14 134:5 137:8, 24 138:7 146:21	walked 116:13, 20 119:13 walking 19:8 39:5, 8 61:21 116:24 124:14 wall 21:14 23:4 29:1
units 21:10 27:22, 23, 25 28:2 33:8 38:1, 9, 11, 12 94:10	usually 77:24	videos 8:1 18:22 74:19 90:24	wall 21:14 23:4 29:1
unmarked 21:3, 24 26:15	< V >	view 33:11	want 7:13 10:15 11:7 16:12 17:7, 8 32:18 36:22 37:13 39:9 53:3 68:22 72:13 75:6, 14 79:21 98:1 105:6, 19, 22 106:8 107:23, 25 108:25 116:11 119:19 121:2, 3 123:11, 18, 23 127:14, 17 129:21 140:25 143:6, 15, 16 144:12 145:15 147:5, 22, 23 155:21 156:15, 19 164:21, 23 169:20 170:16
unnecessary 85:4 108:16	vehicle 21:4, 6, 24 22:11 23:7, 14, 16 24:13, 17, 21 25:13, 17 26:18, 22, 25 27:5 28:13, 22, 24 29:8 33:5, 15, 18 61:25 62:1 63:14 73:20 107:19 vehicle's 23:18 verbal 23:12, 23 103:25 104:4, 8 verbally 118:25 verbatim 172:11 version 105:20 versus 6:5 162:19 vicinity 70:13 VICKERS 1:1 3:3, 22 4:3, 8 6:3, 25 7:5, 10 8:18, 19 11:9 29:20 32:2 42:9, 16 47:21 52:16 65:21 66:1 82:19 86:6, 15 88:15 92:23 94:1, 17 109:4, 6, 23, 24 110:1, 19 114:14 119:23 126:14 129:18 132:14 134:5 137:8, 24 138:7 146:21	viewed 148:23 violated 92:5 150:21 151:4 violating 89:22 91:20 92:6 violation 91:12 94:2 100:15, 16 105:24 128:3 132:9 violations 97:10 103:12 132:6, 18 violence 152:16 vitals 124:7 volume 36:3	walked 116:13, 20 119:13 walking 19:8 39:5, 8 61:21 116:24 124:14 wall 21:14 23:4 29:1
unreasonable 14:23	vehicle's 23:18 verbal 23:12, 23 103:25 104:4, 8 verbally 118:25 verbatim 172:11 version 105:20 versus 6:5 162:19 vicinity 70:13 VICKERS 1:1 3:3, 22 4:3, 8 6:3, 25 7:5, 10 8:18, 19 11:9 29:20 32:2 42:9, 16 47:21 52:16 65:21 66:1 82:19 86:6, 15 88:15 92:23 94:1, 17 109:4, 6, 23, 24 110:1, 19 114:14 119:23 126:14 129:18 132:14 134:5 137:8, 24 138:7 146:21	view 33:11 viewed 148:23 violated 92:5 150:21 151:4 violating 89:22 91:20 92:6 violation 91:12 94:2 100:15, 16 105:24 128:3 132:9 violations 97:10 103:12 132:6, 18 violence 152:16 vitals 124:7 volume 36:3	walked 116:13, 20 119:13 walking 19:8 39:5, 8 61:21 116:24 124:14 wall 21:14 23:4 29:1
unsatisfactorily 90:19	vehicle's 23:18 verbal 23:12, 23 103:25 104:4, 8 verbally 118:25 verbatim 172:11 version 105:20 versus 6:5 162:19 vicinity 70:13 VICKERS 1:1 3:3, 22 4:3, 8 6:3, 25 7:5, 10 8:18, 19 11:9 29:20 32:2 42:9, 16 47:21 52:16 65:21 66:1 82:19 86:6, 15 88:15 92:23 94:1, 17 109:4, 6, 23, 24 110:1, 19 114:14 119:23 126:14 129:18 132:14 134:5 137:8, 24 138:7 146:21	view 33:11 viewed 148:23 violated 92:5 150:21 151:4 violating 89:22 91:20 92:6 violation 91:12 94:2 100:15, 16 105:24 128:3 132:9 violations 97:10 103:12 132:6, 18 violence 152:16 vitals 124:7 volume 36:3	walked 116:13, 20 119:13 walking 19:8 39:5, 8 61:21 116:24 124:14 wall 21:14 23:4 29:1
unsatisfactory 90:15 91:3	vehicle's 23:18 verbal 23:12, 23 103:25 104:4, 8 verbally 118:25 verbatim 172:11 version 105:20 versus 6:5 162:19 vicinity 70:13 VICKERS 1:1 3:3, 22 4:3, 8 6:3, 25 7:5, 10 8:18, 19 11:9 29:20 32:2 42:9, 16 47:21 52:16 65:21 66:1 82:19 86:6, 15 88:15 92:23 94:1, 17 109:4, 6, 23, 24 110:1, 19 114:14 119:23 126:14 129:18 132:14 134:5 137:8, 24 138:7 146:21	view 33:11 viewed 148:23 violated 92:5 150:21 151:4 violating 89:22 91:20 92:6 violation 91:12 94:2 100:15, 16 105:24 128:3 132:9 violations 97:10 103:12 132:6, 18 violence 152:16 vitals 124:7 volume 36:3	walked 116:13, 20 119:13 walking 19:8 39:5, 8 61:21 116:24 124:14 wall 21:14 23:4 29:1
unstable 133:8	vehicle's 23:18 verbal 23:12, 23 103:25 104:4, 8 verbally 118:25 verbatim 172:11 version 105:20 versus 6:5 162:19 vicinity 70:13 VICKERS 1:1 3:3, 22 4:3, 8 6:3, 25 7:5, 10 8:18, 19 11:9 29:20 32:2 42:9, 16 47:21 52:16 65:21 66:1 82:19 86:6, 15 88:15 92:23 94:1, 17 109:4, 6, 23, 24 110:1, 19 114:14 119:23 126:14 129:18 132:14 134:5 137:8, 24 138:7 146:21	view 33:11 viewed 148:23 violated 92:5 150:21 151:4 violating 89:22 91:20 92:6 violation 91:12 94:2 100:15, 16 105:24 128:3 132:9 violations 97:10 103:12 132:6, 18 violence 152:16 vitals 124:7 volume 36:3	walked 116:13, 20 119:13 walking 19:8 39:5, 8 61:21 116:24 124:14 wall 21:14 23:4 29:1
unstacked 118:20	vehicle's 23:18 verbal 23:12, 23 103:25 104:4, 8 verbally 118:25 verbatim 172:11 version 105:20 versus 6:5 162:19 vicinity 70:13 VICKERS 1:1 3:3, 22 4:3, 8 6:3, 25 7:5, 10 8:18, 19 11:9 29:20 32:2 42:9, 16 47:21 52:16 65:21 66:1 82:19 86:6, 15 88:15 92:23 94:1, 17 109:4, 6, 23, 24 110:1, 19 114:14 119:23 126:14 129:18 132:14 134:5 137:8, 24 138:7 146:21	view 33:11 viewed 148:23 violated 92:5 150:21 151:4 violating 89:22 91:20 92:6 violation 91:12 94:2 100:15, 16 105:24 128:3 132:9 violations 97:10 103:12 132:6, 18 violence 152:16 vitals 124:7 volume 36:3	walked 116:13, 20 119:13 walking 19:8 39:5, 8 61:21 116:24 124:14 wall 21:14 23:4 29:1
unusual 67:2, 11	vehicle's 23:18 verbal 23:12, 23 103:25 104:4, 8 verbally 118:25 verbatim 172:11 version 105:20 versus 6:5 162:19 vicinity 70:13 VICKERS 1:1 3:3, 22 4:3, 8 6:3, 25 7:5, 10 8:18, 19 11:9 29:20 32:2 42:9, 16 47:21 52:16 65:21 66:1 82:19 86:6, 15 88:15 92:23 94:1, 17 109:4, 6, 23, 24 110:1, 19 114:14 119:23 126:14 129:18 132:14 134:5 137:8, 24 138:7 146:21	view 33:11 viewed 148:23 violated 92:5 150:21 151:4 violating 89:22 91:20 92:6 violation 91:12 94:2 100:15, 16 105:24 128:3 132:9 violations 97:10 103:12 132:6, 18 violence 152:16 vitals 124:7 volume 36:3	walked 116:13, 20 119:13 walking 19:8 39:5, 8 61:21 116:24 124:14 wall 21:14 23:4 29:1
uploaded 172:24	vehicle's 23:18 verbal 23:12, 23 103:25 104:4, 8 verbally 118:25 verbatim 172:11 version 105:20 versus 6:5 162:19 vicinity 70:13 VICKERS 1:1 3:3, 22 4:3, 8 6:3, 25 7:5, 10 8:18, 19 11:9 29:20 32:2 42:9, 16 47:21 52:16 65:21 66:1 82:19 86:6, 15 88:15 92:23 94:1, 17 109:4, 6, 23, 24 110:1, 19 114:14 119:23 126:14 129:18 132:14 134:5 137:8, 24 138:7 146:21	view 33:11 viewed 148:23 violated 92:5 150:21 151:4 violating 89:22 91:20 92:6 violation 91:12 94:2 100:15, 16 105:24 128:3 132:9 violations 97:10 103:12 132:6, 18 violence 152:16 vitals 124:7 volume 36:3	walked 116:13, 20 119:13 walking 19:8 39:5, 8 61:21 116:24 124:14 wall 21:14 23:4 29:1
upper 63:20 69:9 70:17	vehicle's 23:18 verbal 23:12, 23 103:25 104:4, 8 verbally 118:25 verbatim 172:11 version 105:20 versus 6:5 162:19 vicinity 70:13 VICKERS 1:1 3:3, 22 4:3, 8 6:3, 25 7:5, 10 8:18, 19 11:9 29:20 32:2 42:9, 16 47:21 52:16 65:21 66:1 82:19 86:6, 15 88:15 92:23 94:1, 17 109:4, 6, 23, 24 110:1, 19 114:14 119:23 126:14 129:18 132:14 134:5 137:8, 24 138:7 146:21	view 33:11 viewed 148:23 violated 92:5 150:21 151:4 violating 89:22 91:20 92:6 violation 91:12 94:2 100:15, 16 105:24 128:3 132:9 violations 97:10 103:12 132:6, 18 violence 152:16 vitals 124:7 volume 36:3	walked 116:13, 20 119:13 walking 19:8 39:5, 8 61:21 116:24 124:14 wall 21:14 23:4 29:1
urgency 141:10	vehicle's 23:18 verbal 23:12, 23 103:25 104:4, 8 verbally 118:25 verbatim 172:11 version 105:20 versus 6:5 162:19 vicinity 70:13 VICKERS 1:1 3:3, 22 4:3, 8 6:3, 25 7:5, 10 8:18, 19 11:9 29:20 32:2 42:9, 16 47:21 52:16 65:21 66:1 82:19 86:6, 15 88:15 92:23 94:1, 17 109:4, 6, 23, 24 110:1, 19 114:14 119:23 126:14 129:18 132:14 134:5 137:8, 24 138:7 146:21	view 33:11 viewed 148:23 violated 92:5 150:21 151:4 violating 89:22 91:20 92:6 violation 91:12 94:2 100:15, 16 105:24 128:3 132:9 violations 97:10 103:12 132:6, 18 violence 152:16 vitals 124:7 volume 36:3	walked 116:13, 20 119:13 walking 19:8 39:5, 8 61:21 116:24 124:14 wall 21:14 23:4 29:1
urging 50:11	vehicle's 23:18 verbal 23:12, 23 103:25 104:4, 8 verbally 118:25 verbatim 172:11 version 105:20 versus 6:5 162:19 vicinity 70:13 VICKERS 1:1 3:3, 22 4:3, 8 6:3, 25 7:5, 10 8:18, 19 11:9 29:20 32:2 42:9, 16 47:21 52:16 65:21 66:1 82:19 86:6, 15 88:15 92:23 94:1, 17 109:4, 6, 23, 24 110:1, 19 114:14 119:23 126:14 129:18 132:14 134:5 137:8, 24 138:7 146:21	view 33:11 viewed 148:23 violated 92:5 150:21 151:4 violating 89:22 91:20 92:6 violation 91:12 94:2 100:15, 16 105:24 128:3 132:9 violations 97:10 103:12 132:6, 18 violence 152:16 vitals 124:7 volume 36:3	walked 116:13, 20 119:13 walking 19:8 39:5, 8 61:21 116:24 124:14 wall 21:14 23:4 29:1
urine 117:16	vehicle's 23:18 verbal 23:12, 23 103:25 104:4, 8 verbally 118:25 verbatim 172:11 version 105:20 versus 6:5 162:19 vicinity 70:13 VICKERS 1:1 3:3, 22 4:3, 8 6:3, 25 7:5, 10 8:18, 19 11:9 29:20 32:2 42:9, 16 47:21 52:16 65:21 66:1 82:19 86:6, 15 88:15 92:23 94:1, 17 109:4, 6, 23, 24 110:1, 19 114:14 119:23 126:14 129:18 132:14 134:5 137:8, 24 138:7 146:21	view 33:11 viewed 148:23 violated 92:5 150:21 151:4 violating 89:22 91:20 92:6 violation 91:12 94:2 100:15, 16 105:24 128:3 132:9 violations 97:10 103:12 132:6, 18 violence 152:16 vitals 124:7 volume 36:3	walked 116:13, 20 119:13 walking 19:8 39:5, 8 61:21 116:24 124:14 wall 21:14 23:4 29:1
Use</			

<p>watched 18:19 49:14 50:6 51:3 52:11 80:8 90:24 144:1</p> <p>watching 18:21</p> <p>wave 41:23</p> <p>waved 40:16 41:11</p> <p>way 22:14 28:20, 23 29:13, 15 36:5, 7 40:2 55:4 56:3 63:21 64:16 79:16, 19 83:13 86:5 88:24 96:9 109:16 113:17 116:3 128:8 133:14 134:24 137:12 138:5 151:22 154:12 155:7 160:21 164:11 168:12 170:1, 19</p> <p>weaker 58:2</p> <p>wear 135:8</p> <p>wearing 36:6 115:11</p> <p>Webb 4:14, 23</p> <p>Wednesday 170:19</p> <p>week 19:2 20:1 97:21, 22 121:22</p> <p>weeks 18:23, 24, 25 19:2 78:7</p> <p>weight 43:10, 18 52:10 53:12, 16, 21, 22, 25 54:1 61:6 63:6, 7 143:19</p> <p>Well 12:6 25:21 28:7 33:25 39:15, 19 41:1 42:25 50:5 51:2 54:2 61:12 62:12, 25 64:4 65:1 66:16 67:18 75:9 82:13 84:9 88:15 90:11, 23 95:24 96:17, 22 98:20 99:7 102:14 107:8 109:15 112:25 113:22 114:16 115:8, 24 117:15, 22 118:13 123:13, 15 124:16,</p>	<p>25 126:5, 7 132:1 134:23 135:9 136:5 137:14 139:20 145:17 146:2 149:5 150:7 152:5 163:13, 15 169:10</p> <p>well-being 92:19</p> <p>Went 9:2 22:14, 17 23:2, 3, 10 24:20 27:22 37:15 52:21 97:7 106:18, 21, 23, 25 110:17 113:13 116:24 126:6 133:19 134:7 148:2 163:14</p> <p>we're 8:10 19:24 32:8 46:4 56:4, 9 60:4 68:24 84:23 90:4 92:4, 21 125:1 127:18 135:20 142:13 143:10</p> <p>we've 73:24 78:9 90:24 114:9 132:4, 17 136:6 166:24 170:17</p> <p>what-all 95:22</p> <p>white 116:18</p> <p>wife 11:5, 8, 9 19:20 115:3</p> <p>Williams 109:3, 5</p> <p>Willie 127:1 135:25 136:6</p> <p>willing 82:2, 14 83:1</p> <p>window 116:5, 6 119:17 123:4</p> <p>Winkle 10:22</p> <p>withdraw 82:17 88:10, 13</p> <p>withdrawn 173:12</p> <p>Witness 1:1 6:11, 16 7:15, 16 11:17 15:11 32:25 40:22 48:5, 7 108:24 114:17 150:1, 20</p>	<p>151:3 170:23 171:2</p> <p>witnessed 15:7, 9 147:4, 16 150:18</p> <p>witnesses 126:8 128:9 172:23</p> <p>witnessing 115:14</p> <p>Woke 115:9</p> <p>womens 124:3</p> <p>word 25:20, 21 26:4, 7 29:24</p> <p>words 44:9, 13 45:2 47:5, 10 59:2 109:20 110:9 148:19</p> <p>work 14:10 15:22 20:5, 18 91:9 94:3 95:17 113:12, 13 115:1, 7 117:24 121:20 129:19 131:3 153:11 162:24</p> <p>worked 113:6 115:4</p> <p>worker 135:2</p> <p>working 20:22 51:14 64:22 66:13 78:24 107:9, 11, 13 109:19 115:4 166:12</p> <p>work-related 115:2</p> <p>works 19:23 109:20 116:16 130:21 141:10</p> <p>Worksheet 4:8 104:11</p> <p>worries 125:8, 19</p> <p>worry 117:20</p> <p>WR 99:24 100:2</p> <p>wrecked 21:12</p> <p>wrecking 21:10</p> <p>write 81:3 101:22 102:9</p> <p>writing 92:24 100:25 101:2, 3, 12</p> <p>written 2:23 90:13 100:3, 5, 10, 20, 22 101:19</p>	<p>wrong 16:23 22:14 31:24 39:24 48:13 51:3 55:11, 13 60:25 61:4 63:21 64:1 73:17 74:18, 22 86:5 117:10 145:12 148:19 149:12 154:14 160:2 163:18</p> <p>wrote 117:19 131:14</p> <p>< X ></p> <p>X-ray 3:24 31:2, 6</p> <p>< Y ></p> <p>y'all 20:4 74:14</p> <p>Yeah 10:19 11:12 43:19 74:16 77:17 82:4 83:24 85:7 97:22 98:9, 19 100:1 103:11 121:17 127:4, 6 128:1 132:24, 25 134:11 141:4 144:3 147:24 148:5 149:10 154:1 159:22 161:3 163:13 164:4 165:10, 12 167:24, 25 169:4 170:7</p> <p>year 26:20 152:8 153:6</p> <p>years 13:17, 18, 19, 22 107:7 145:5 146:22 152:6, 20 161:15 166:12</p> <p>yell 159:7</p> <p>yesterday 157:17</p> <p>you-all 120:21</p> <p>young 114:21</p> <p>< Z ></p> <p>Zenelaj 4:6</p> <p>zone 22:12 93:8 113:12 115:5</p>
---	--	---	--

Griffin vs. City of Atlanta

Donald Vickers

Exhibit D
10/21/2020

Zoom 6:9, 16 8:15
13:6 64:11